Northern Territory
Legal Aid Commission

Annual Report 2008-2009

Northern Territory Legal Aid Commission

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The Hon Ms Delia Lawrie
Minister for Justice and
Attorney-General
Parliament House
State Square
DARWIN NT 0800

Dear Attorney-General

I am pleased to present the Northern Territory Legal Aid Commission's Annual Report for the year ended 30 June 2009.

On behalf of the Commission, I also welcome you to the Justice and Attorney General's portfolios.

I am delighted with the achievements of the Commission this year and excited about the opportunities and potential for the coming year.

Last year I reported that the community legal education, assistance and referral services for regional, rural and remote areas of the Territory had been greatly increased.

The Commission has maintained a focus on minimising the impact that isolation and geographic remoteness have on the delivery of legal services in the Territory.

A tangible example of the Commission enhancing access to justice has been the opening of our new office in Tennant Creek, providing a permanent place for information, referral and legal assistance for people in the Barkly Region.

The Commission, through the Outreach Project, has visited over 40 Territory communities this year providing a mixture of legal education, information, referral and direct legal help. The flexibility in the nature of help we can provide has been a crucial factor in the success of the Project.

The Legal Information Line has been heavily promoted in all Commission merchandise as the 'first step to a legal solution'. Callers to the line receive information relevant to their issues from trained paralegal staff including referrals to other agencies or to a legal advice clinic. The demands on this service have been growing throughout the year and the Commission will consider the infrastructure, operational and training needs to enhance this service in the coming year.

At the policy level, I trust that the constructive comments and insights which the Commission is able to offer you, Attorney, will be of guidance and assistance in the development of legislation and policy during your term of office.

A new challenge facing the Commission has been the introduction of mandatory reporting laws which appear to abrogate the secrecy provisions of the *Legal Aid Act* and common law privilege. This is also of concern to many legal practitioners and other legal services. The Commission has been ensuring that clients are aware of the reporting obligations of the Commission staff while retaining confidence in legal services.

A positive development has been the Australian Government's announcement it will lift the suspension of the *Racial Discrimination Act* which has been in place since the intervention commenced in June 2007. This reflects a restoration of the fundamental right to equality which we are all entitled to take for granted.

Unfortunately, the shocking levels of violence in the Northern Territory continue to grow. This is reflected in long term crime statistics which reported a 46% increase in offences against the person in the last 5 years. The data is reflected in the increasing demands and pressures on justice systems, including the Commission.

Funding commensurate with increasing demands is required to ensure the continued quality and the sustainability of the service levels provided by the Commission. We continue to have open lines of communication with the Northern Territory and Australian governments to update and inform them of changing funding requirements.

I am proud of the initiatives the Commission has put in place in the past year and commend the Director and Commission staff on their dedication, flexibility and responsiveness.

Yours faithfully,

DAVID FARQUHAR
CHAIRMAN
Northern Territory Legal Aid Commission

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Vision and values

Vision:

"to recognise and promote the rights and interests of all by providing equitable access to justice"

Charter:

"to ensure that the legal rights and interests of people in the NT are not prejudiced by reason of their ability to access information, advice, representation and remedies"

Values:

Justice:	Fairness and equity valuing diversity.
Integrity:	Performing our functions with respect, dignity, compassion and honesty.
Professionalism:	Commitment to the rule of the law, ethical standards and a quality service.
Excellence:	Continuous review and improvement.

Commission offices

DARWIN

6th Floor, 9-11 Cavenagh Street, DARWIN NT 0800
Locked Bag 11, DARWIN NT 0801
Ph (08) 8999 3000
Fax (08) 8999 3099

PALMERSTON

Shop 6, Goyder Centre, 25 Chung Wah Terrace , PALMERSTON NT 0830
Ph (08) 8999 4750
Fax (08) 8999 4747

KATHERINE

20 Second Street, KATHERINE NT 0850
PO Box 145, KATHERINE NT 0851
Ph (08) 8973 8704
Fax (08) 8973 8551

TENNANT CREEK

Shop 3, 163 Paterson Street, TENNANT CREEK NT 0860
PO Box 794, TENNANT CREEK NT 0861
Ph (08) 8962 0100
Fax (08) 8962 0129

ALICE SPRINGS

77 Hartley Street, ALICE SPRINGS NT 0870
PO Box 969, ALICE SPRINGS NT 0871
Ph (08) 8951 5377
Fax (08) 8951 5378

Office hours:

Monday - Friday 8.00 am - 5.00 pm

Free call telephone legal information:

1800 019 343

Website address:

www.ntlac.nt.gov.au

Email address:

info@ntlac.nt.gov.au

Palmerston office

Director's report

It is a pleasure to present the 2008/2009 Annual Report.

Each day in the Northern Territory, from Alice Springs to Nhulunbuy, our staff are involved in providing legal advice, information, minor assistance, mediation and representation to assist people in knowing about and exercising their legal rights. This is only made possible by our dedicated and committed solicitors and administrative staff who work for the Commission to improve access to justice for disadvantaged people in the Northern Territory. The provision of legal assistance is crucial in a society where there is power to penalise, incarcerate, detain, deport, be held unwillingly in hospital and forced to undergo medical treatment, limit the contact between parents and their children or remove children from their family.

Over the last year we have continued to implement our 2007-2010 Strategic Plan. Our major achievement, pursuant to the strategic plan, was the opening of our Tennant Creek Office in April by His Honour the Administrator, Tom Pauling AO QC. The Commission had established the Tennant Creek Legal Resource Centre in 2006 as a pilot, following the recommendations in the report, "Justice Too Far Away", which we commissioned to assess the legal needs of the Tennant Creek and Barkly region. The Resource Centre was so successful that it became clear that the Commission should have a permanent office in Tennant Creek. The new office has two permanent staff with solicitors travelling from Alice Springs every two weeks to give legal advice and representation. In addition, the office conducts legal outreach in the Barkly region. Conferencing rooms allow family dispute resolution and video conferencing facilities enable the provision of legal information and advice to remote clients. As a result of the proposed increase in court sittings in Tennant Creek for 2010, it is anticipated that there will be an increasing demand for our services.

Suzan Cox QC, Director

This year we decided that there was a need to establish a stand alone domestic violence legal service and we made a proposal to the NT Department of Justice for office space and funding. The NT Attorney-General and Treasurer has supported our proposal and the new service will be officially opened early in the new financial year. The Domestic Violence Legal Service will significantly improve access to justice for victims of domestic violence and, as a stand alone service, will enable greater flexibility in the delivery of family law advice and representation by the Commission.

Another initiative undertaken this year was the production of a legal resource kit for culturally and linguistically diverse ('CALD') communities in the Northern Territory. The CALD kit is near completion and introduces legal concepts of family law, domestic violence and child protection to newly arrived migrant and refugee communities. We hope to launch the CALD kit early in the new financial year.

The workload of the Commission has increased across all areas, but particularly in respect to the demands for legal information, advice and duty solicitor services. The Northern Territory Emergency Response, together with changes in territory legislation, has impacted on the work load of the Commission. We have sought to meet the increasing need for our services by providing a duty solicitor service in the Magistrates Court for children in need of care matters, as well as providing legal outreach for communities from our Alice Springs and Darwin offices. It is hoped that our legal outreach will be more effectively provided by the establishment, over the next year, of two mobile legal aid offices operating out of our Darwin and Alice Springs offices.

Community Legal Education and legal outreach continue to expand as we develop new ways of assisting disadvantaged people. This is often in partnership with other service providers, including the North Australian Aboriginal Justice Agency, the Central Australian Aboriginal Legal Aid Service, the Community Legal Centres, the Ombudsman, the Anti-Discrimination Commission, Consumer Affairs, the Australian Securities & Investment Commission and the Melaleuca Refugee Centre. People present with many legal and non-legal problems. In tackling disadvantage we utilise opportunities for integrated legal service delivery. We continue to work collaboratively with legal services across the Northern Territory to ensure effective information and referral at an early stage, so as to minimise the escalation of legal problems.

The Commission continues to have input into legislative and policy changes at both Territory and national levels. It is important work as legislative change can adversely impact on our service delivery. Advocating for better policies to effect social inclusion is an important part of our work.

The issue of funding remains a matter of national concern for all Legal Aid Commissions. We are only able to deliver services to the extent made possible by recurrent funding. We will be seeking to increase our Territory funding so as to maintain effective service delivery and maintain current funding under the new Commonwealth National Partnership Agreements.

Although the Commission lawyers do over 90% of our work in the criminal jurisdiction and close to 50% in the family jurisdiction, we depend on the cooperation of the private profession in supplying services to our clients for fees well below the market rate. I thank our private practitioner colleagues for their continued support and cooperation with the Commission.

The professionalism and dedication of the Northern Territory Legal Aid Commission staff in each of our offices has been regularly demonstrated over the last year. I thank all our staff for their services to our client base in what are often difficult and challenging circumstances. Finally I thank each of the Commissioners and Chair of the Commission, David Farquhar for their governance, interest, support and wise counsel over the last year.

We are looking forward to successfully meeting the challenges of the next year.

SUZAN COX QC
DIRECTOR
Northern Territory Legal Aid Commission

Our Charter

Our CHARTER is to ensure that the legal rights and interests of people in the Northern Territory are not prejudiced by reason of their ability to access information, advice, representation and remedies.

Duties of Commission

In the performance of its function, the Commission shall:

- ensure that legal assistance is provided in the most effective, efficient and economic manner;
- ensure that its activities are carried on consistently with, and do not prejudice, the independence of the private legal profession;
- liaise and co-operate with, and if the Commission considers it desirable to do so, make reciprocal arrangements with professional bodies representing private legal practitioners and other bodies engaged or interested in the provision of legal assistance in the Territory or elsewhere;
- liaise with professional bodies representing private legal practitioners in order to facilitate the use, in appropriate circumstances, of services provided by private legal practitioners;
- make maximum use of services which private legal practitioners offer to provide on a voluntary basis;
- encourage and permit persons who are not legal practitioners to participate, so far as the Commission considers it practicable and proper to do so, on a voluntary basis, under professional supervision, in the provision of legal assistance by officers;
- provide officers and agencies of the Commonwealth or a State concerned in the provision of legal assistance with such statistical and other information as they reasonably require;
- make its services available to persons eligible for legal assistance by establishing such local offices, and by making such other arrangements, as it considers appropriate within funding limitations;
- determine priorities in the provision of legal assistance as between different classes of persons or classes of matters;
- arrange for the provision of duty lawyer services at sittings in the Territory in such courts as it considers appropriate as funding may permit;
- endeavour to secure the services of language interpreters, marriage counsellors and other appropriate persons to help persons in connection with matters in respect of which they are provided with legal assistance: and
- engage in early intervention and prevention strategies particularly in areas of acute disadvantage and (social) exclusion.

Legislation

The Commission is established under the *Legal Aid Act* (NT) 1990 as amended.

Legal aid agreements

The most recent agreement between the Commonwealth of Australia and the Northern Territory, for the provision of funding for Commonwealth matters, was signed in March 2005. The term of the agreement was originally from 1 July 2004 through to 31 December 2008 but has been extended until 30 June 2010.

The Commissioners

Commissioners' role

To ensure that legal assistance is provided in accordance with the *Legal Aid Act*.

DAVID FARQUHAR
CHAIRMAN

Graduated ANU with BA., LLB. Commenced practice in the NT in 1977 as Crown Prosecutor; joined Australian Legal Aid Office in 1979; in private practice since 1980. Chairman Public Sector Disciplinary/ Inability Appeals Boards; Chairman of Police Disciplinary/Inability Appeals Boards; Deputy Chairman Territory Insurance Office; Member of the Legal Practitioners Disciplinary Tribunal. Originally appointed to the Commission on 29 June 1990. Originally appointed Chairman by the Northern Territory Attorney-General on 1 August 1996.

JANE LARGE

Forty-two years of public service including the British Civil Service, Commonwealth, State and Northern Territory. Agencies include Foreign Office, Police, Attorney-General's, Law, Mines and Energy and Treasury. From 1996 occupied a Senior Director position in the Northern Territory Treasury and retired from the Public Service in November 2001. Currently a member of the Northern Territory Licensing Commission, Chairman of the NT Government Employees Superannuation Review Board, and a Justice of the Peace. Originally appointed 29 June 1990 by the Northern Territory Treasurer.

EILEEN TERRILL

Graduated University of Adelaide with LLB in 1976. Commenced practice in the Northern Territory in 1977. From 1977 to 1985 employed as a solicitor in local Darwin firms. From 1985 to 1986 in charge of the Family and Civil Law Section of the Australian Legal Aid Office, Darwin. From 1986 to 1990 Director of the Australian Legal Aid Office, Darwin. From 1991 to present, Principal of a small Darwin based legal practice. Councillor of Law Society from 1993 to 2003. On Executive Committee of the Northern Territory Law Society, 1997 to 2003. Appointed by the Northern Territory Attorney-General, on the nomination of the Law Society. Originally appointed 29 October 1997.

PETER VAUGHAN

Graduated from Sydney Teachers College in 1973 and commenced work as a school teacher in an all boys school in the Western Suburbs of Sydney. Moved to Darwin in 1977 working at St Johns College and later at Taminmin High School as a senior teacher. Completed a further Degree in Educational Administration in 1986 through SA College of Advanced Education which later became the University of South Australia. Moved to Alice Springs in 1989 to take up the position of Assistant Principal at Alice Springs High School, retired in 2008 and now runs a small consultancy focussing on supporting teachers and parents of students identified with extreme behaviours. Completed post graduate studies in Public Sector Management at Charles Darwin University. Was the chair of the Crime Prevention Committee in Alice Springs from 2000 to 2003. Continues to be a voice for disenfranchised youth in the Central Australian region.

HALEY RICHARDSON

Haley has worked in various positions in the public sector since 1990 in Queensland and in the Northern Territory. Haley commenced employment with the Commission in May 1992. She started as a paralegal in the Criminal Section of the Commission and in June 2001 was appointed Assignments Practice Manager. Appointed as the staff representative Commissioner in September 2005.

ELIZABETH MORRIS

Elizabeth Morris, Deputy CEO Policy Coordination Elizabeth joined the department in 2006, coming over from Northern Territory Treasury as the Executive Director of Racing, Gaming and Licensing. Elizabeth was appointed Deputy CEO in January 2007. Elizabeth was with NT Treasury for two years, and prior to that spent five years as Deputy Coroner for the Northern Territory. Her earlier legal career included nine years at the Northern Territory Legal Aid Commission. Elizabeth first came to the Territory in 1990 to work as an Associate to the former Chief Justice. Elizabeth has a Bachelor of Arts (with honours), a Bachelor of Laws from the University of Sydney, and a Graduate Certificate in Public Sector Management.

SUZAN COX QC

Graduated from UNSW with BA., LLB, 1978; LLM (Criminal Law) NYU 1985. 1980-90 Solicitor, Office of the Public Solicitor, Port Moresby, Senior Criminal Solicitor, CAALAS, Senior Criminal Solicitor, NAALAS (now NAAJA) and practised at the Melbourne Bar. From 1990 until 2002 at NTLAC as Senior Solicitor, Family Law Practice, Senior Counsel, Criminal Law Practice, Deputy Director, Acting Director, Director from July 2002 and appointed Queens Counsel in August 2002.

Our committees

Northern Territory Contingency Legal Aid Fund

The Northern Territory Contingency Legal Aid Fund (CLAF) was established on 1 March 1993 with a seeding grant of $200,000 from the Law Society Public Purposes Trust. In June 1997 the Fund received a loan of $200,000 from the Commission's Legal Aid Fund.

CLAF is administered by the Commission's Assignments Practice. The Fund covers disbursements necessarily incurred during the course of litigation such as stamp duty, service fees, expert witnesses' reports, travelling costs and fees associated with expert witnesses. The Fund does not pay for solicitors' or barristers' professional costs or general office expenses such as photocopying, telephone charges or facsimile charges. The financial position of the Fund appears in Note 15 of the Financial Statements.

The Fund is available for all areas of law, which could potentially result in a monetary award to the applicant.

Contingency Legal Aid Fund Committee

Committee role

Established in accordance with Section16 of the *Legal Aid Act*.

To determine whether or not to grant applications for assistance under the Contingency Legal Aid Fund.

Membership of the committee

Suzan Cox QC	Director
Meredith Harrison	Deputy Director

LAW SOCIETY NOMINEES:

P. Barr QC	C. Spurr	S. Gearin
A. Young	J. Neill	D. McConnell
M. Spazzapan	E. Terrill	R. Battley
G. McMaster	P. Cheong	J. Stirk

COMMISSION APPOINTEES:

S. Reddy

Statistical information

The demands on the fund have been:

Applications	08/09	07/08	06/07	05/06	04/05	03/04
Received	13	11	7	15	17	28
Approved	11	6	6	15	8	16
Withdrawn	2	3	1	0	4	3
Refused	0	0	0	0	4	4
to be Decided	0	2	0	0	1	5

Since the fund commenced in March 1993 there have been a total of 325 applications to the fund. The applications for funding largely relate to personal injury actions such as occupiers' liability, medical negligence and work health. Few applications relating to commercial litigation or family law property settlement have been received.

Review Committee

Committee's role

To review decisions referred to the Committee under Section 35(3) of the *Legal Aid Act*. Under Section 35 of the Act, persons who feel they have been adversely affected by decisions taken on their application for legal aid may seek reconsideration or review of those decisions.

During 2008-2009 the Review Committee met on 7 separate occasions to review 7 client requests. The outcome of their deliberations was that 2 decisions were varied in favour of the applicant.

Membership of the committee

Private Legal Practitioner	T. Prichard	M. Johnson
	B. Piper	E. Hutton
	R. Lawford	T. Marris
	B. O'Loughlin	S. Sievers
	D. Story	J. Tippett QC
	P. Elliott	B. Cassells
Independent person with relevant experience	A. Beven	P.Timney
	G. McDonald	N. Hunter
	M. Story	W. Morton
	E. Morris	
Officer of the Commission	M. Harrison	S. Cox QC
	J. Franz	G. Smith
	I. Read	H. Blundell
	A. Abayasekara	T. Kaye
	F. Hussin	A. Snell
	B. Lohmeyer	D. Elliott
	F. Kepert	M. Warbrooke
	J. Barry	M. Powell
	L. Bennett	
Secretary to Committee	S. Reddy	

Overview of operations

The provision of legal services by the Northern Territory Legal Aid Commission is governed by the *Legal Aid Act*.

The Northern Territory Legal Aid Commission is independent of the Territory and Commonwealth Governments. In fact, the *Legal Aid Act* specifically allows the Commission to help disadvantaged persons in cases where they might be in dispute with, or opposed to, either Government or any public authority or organisation.

The legal services provided by the Commission take the form of legal advice, help from one of our duty lawyer services, or legal representation and assistance.

Legal advice

Commission lawyers give advice on legal matters free of charge in legal advice clinics.

Advice is given at the Commission offices or at other places, as required, during those times as the Director appoints, having regard to the availability of staff.

Where, in the opinion of the Director, a person has, during their past attendance at advice sessions, behaved in an offensive or abusive manner toward staff members, or repeatedly sought assistance in respect of matters lacking merit, the Director may decline to provide that person with advice.

Duty lawyer services

The Legal Aid Commission provides duty lawyer services either by using its own staff or by funding lawyers in private practice, to such sittings of those Courts and Tribunals in the Northern Territory as the Director considers appropriate.

Duty lawyers are available to advise accused persons and, if necessary, appear for them in bail and adjournment applications and in appropriate cases to represent them on a guilty plea. Duty lawyers do not appear in defended cases unless the circumstances are exceptional. A duty lawyer service is also provided to the Mental Health Tribunal and Child in Need of Care matters.

The independent Domestic Violence Legal Service also provides a duty lawyer service in Domestic Violence Matters.

The Commission provides a family duty lawyer service to sittings of the Family and Federal Magistrates Courts. The service provides advice, minor assistance and negotiation assistance to unrepresented parties. This service was tendered out and is provided by a private practitioner.

Legal assistance

Legal assistance may be provided under Section 26 of the Act if:

(a) a person is in need of that legal assistance by reason that she or he is unable to afford the cost of obtaining from private legal practitioners the legal services in respect of which legal assistance is sought; and

(b) it is reasonable in all the circumstances to provide the legal assistance.

The assistance may be provided free or on condition that the assisted person pays part or all of the cost of providing legal assistance. The majority of clients are required to pay a contribution.

Thus the Commission must apply two tests to any application for legal assistance – a means test and a "reasonableness" or merits test.

In determining whether to grant legal assistance in relation to any matter, regard is had to all relevant matters including:

(a) the likely cost to the Commission of providing the assistance;

(b) the nature and extent of any benefit that may accrue to the applicant from the provision of the assistance or of any detriment that the applicant may suffer if assistance is not provided;

(c) in the case of assistance in relation to a proceeding – the likelihood of the proceedings terminating in a manner favourable to the applicant;

(d) whether the legal problem or the applicant come within the Commission's or Commonwealth's priorities for the provision of legal assistance; and

(e) whether the legal problem is one for which, in accordance with the Commission Guidelines, legal assistance may be provided.

Commission guidelines

The Commission is required by Section 12 of the *Legal Aid Act* to determine, and make known to the public, guidelines to be applied in considering applications for legal assistance and in making decisions as to other specified matters involving the exercise of discretion.

The guidelines were originally published in November 1990 and are revised as necessary from time to time. The guidelines are circulated to interested parties and are available on request.

Contributions and recovery of costs

An important component of the Commission's funding base is the amount recovered from client contributions.

Initial contributions, of at least $55.00, based on the applicant's income and assets are usually imposed. Interim and final contributions may also be imposed, especially where a legally assisted person's financial circumstances have substantially improved during the currency of a grant of aid.

Where an assisted person is successful, the Commission may recover some or all of the costs incurred in representing the client. This will depend on the circumstances of the finalisation of the matter.

Reconsideration and review of decisions

An applicant for legal assistance may request that an unfavourable decision be reconsidered.

Where a decision is confirmed or varied following reconsideration by staff of the Commission, the person affected may request that the decision be referred to a Review Committee for review.

The Review Committee consists of an officer of the Commission, a private legal practitioner and another independent person with relevant experience.

Legal practices

The Commission conducts legal practices which include family law, mental health, immigration, childrens matters, criminal law, policy and community legal education.

It also auspices an independent Domestic Violence Legal Service and operates early intervention, advice and assistance services particularly focussed on the remote and socially excluded.

Locations

The Commission maintains offices in Darwin, Palmerston, Katherine, Tennant Creek and Alice Springs, and currently provides services to other major centres by utilising either its own staff or private practitioners. Office locations and contact numbers are detailed at the beginning of this annual report.

It conducts a remote outreach program to address, in particular, the needs of those affected by the Northern Territory Emergency Response travelling extensively throughout the Centre and the Top End of the Territory.

Our offices and principal functions

Darwin office

Located within the Darwin office are the following divisions:

- Executive;
- Criminal Law (including a duty lawyer service);
- Family Law (including several duty lawyer services and Family Dispute Resolution Program);
- Immigration;
- Civil Law;
- Assignments;
- Information and advice;
- Aboriginal outreach and early intervention
- Policy and Community Legal Education; and
- Corporate Services.

Solicitors visit the Darwin Prison each week.

Assignments, Community Legal Education, financial management, financial and statistical reporting, accounting, information technology, personnel services and the Review and Contingency Fund Committees are centralised in Darwin.

The Darwin Office auspices the Domestic Violence Legal Service which operates as an independent unit.

Palmerston office

The Palmerston Office provides a convenient shop front service for people who live in the town and surrounding rural areas.

The Office provides a referral service and legal assistance in family, criminal and civil law.

Katherine office

The Katherine Office provides legal services in criminal, family and civil law in the Katherine region of the Northern Territory.

Duty Lawyer services are provided at the Katherine Courthouse as required as well as legal representation. Free legal advice sessions are conducted at the Katherine Office. Where a solicitor is unavailable legal advice is provided to the client via a video conferencing link with the Darwin office.

From time to time the Katherine branch lawyer is required to provide services to the more remote areas of the Katherine region.

Katherine office

Tennant Creek office

The Tennant Creek Office provides a coordination point for people of the Barkley Region to obtain legal advice and assistance.

The Office conducts community legal education programs on issues that are relevant to the residents of Tennant Creek and the Barkly Region and participates in Aboriginal outreach and early intervention programs. In conjunction with the legal staff of the Alice Springs Office, Tennant Creek provides legal advice and representation to the people of the region in criminal, family and civil law.

Opening of Tennant Creek Office

Some staff members of the Alice Springs office

Alice Springs office

The Alice Springs Office provides legal services in criminal, family and civil law in the central region of the Northern Territory.

Lawyers attend the Alice Springs Courthouse each day and provide free advice and representation to persons requiring assistance. In addition, free legal advice sessions are conducted at the office three days per week and telephone advice is provided to callers from remote areas.

Criminal and family lawyers provide advice and representation during Court sittings in the Barkley Region.

An Aboriginal outreach and early Intervention team travels extensively throughout the region. Solicitors also attend at the Alice Springs gaol/ hospital to provide advice and representation as required.

Organisational structure and objectives

Chief Executive Officer's Unit

Overall objectives:

- In consultation with the Board of Commissioners provide leadership and direction to the operations of the Commission.

Family and civil legal practices

Overall objectives:

- Provide assistance in relation to family law (incorporating the Family Dispute Resolution Program), immigration, children's matters, Mental Health Review Tribunal and Child Support Agency matters by way of:
    - concise initial advice to members of the public in respect of their rights and obligations under any Commonwealth or Northern Territory legislation;
    - duty lawyer services; and
    - Where legal assistance has been granted, representation of a high standard in a timely and cost efficient manner to clients of the Commission in order to obtain a just and equitable resolution of their law dispute.
- where appropriate, refer members of the public to appropriate private solicitors or providers of non-legal services.

Some staff members of the Family and Civil Legal Practice

Criminal legal practice

Overall objectives:

- Provide assistance in relation to criminal matters under Northern Territory and Commonwealth legislation by way of:
    - concise initial advice to members of the public in respect of their rights and obligations at all offices and weekly prison visits;
    - duty lawyer services at all offices and monthly trip to Nhulunbuy;
    - where legal assistance has been granted, representation of a high standard in a timely and cost efficient manner to clients of the Commission in order to obtain a just and equitable resolution of their law dispute; and
    - the largest appellate practice in the Northern Territory.
- Assistance is also provided to clients that are referred to the Commission by the Aboriginal and Torres Straight Islander Legal Services.

Some staff members of the Criminal Legal Practice

Assignments unit

Overall objectives:

- Provide grants of aid to the in house legal practice.
- Provide grants of aid to clients with private solicitors where:
    - applications are received directly from private practitioners;
    - the Commission is conflicted; or
    - the Commission does not have capacity in-house.
- Provide grants of aid to clients referred from the Aboriginal and Torres Straight Islander Legal Services.
- Administer review and reconsideration process where grants are refused and applicants appeal decision.
- Administer the Family Dispute Resolution conferencing program.

Policy unit

Overall objectives:

- Identify the gap between need and services.
- Review the impact of new legislation and infrastructure such as the increases in courts, magistrates and prosecution resources on services' ability to cope with growing demand.
- Lead and participate in networks which provide a resource for policy and law reform input.
- Identify priority areas of policy or law reform issues that are relevant to the Commission's client base.
- Coordinate the Commission's community legal education and outreach and early intervention programs.

Community legal education unit

Overall objectives:

- Fill the gap between need and services.
- Provide information to clients who would otherwise not access legal services.
- Collaborate with other legal services.
- Network with sector agencies and government.
- Inform the community about the range of services offered by the Commission.
- Develop community legal education projects and publications to meet specific legal needs including education tools including DVDs in language to maximise the reach and impact on communities in need.

Aboriginal outreach and early intervention unit

Overall objectives:

- Provide legal education, information, advice and assistance to those affected by the Northern Territory Emergency Response and to remote and socially excluded communities.

Corporate services unit

Overall objectives:

- Provide the infrastructure within the Commission so that legal services are provided to the people of the Northern Territory in an efficient and effective manner.
- Initiate policies, strategies, advising and reporting (in all matters other than those of a direct legal services nature) to external and internal stakeholders so that the Commission's charter may be achieved.

Staffing of the commission

Director

As at 30 June 2009 the following persons were employed:

Director	Suzan Cox QC, BA LLB, LLM
Personal Assistant	Susan Gowler

Darwin

Criminal law practice

Senior Solicitor	Ian Read LLB BEc
Managing Solicitor	Greg Smith BA LLB
Solicitors	Julie Franz LLB
	Louise Bennett LLB
	Helena Blundell BA LLB
	Ambrith Abayasekara BCom LLB
	Thomas Kaye BA LLB
	Fiona Kepert BA LLB (Hon)
Legal Secretaries	Gloria Rautamara
	Lucia Vorrasi
	Mark Wright

Family and civil law practice

Managing Solicitor	Diana Elliott BA LLB
Solicitors	Michaela Powell BA LLB
	Anthony Snell LLB
	Melanie Warbrooke BSocWk, LLB (Hons)
Immigration Solicitors	Natalie Scattini (on maternity leave
	Bethany Lohmeyer BA LLB (part-time)
Legal Secretaries	Monica Settele
	Jodie Siebert
	Carolyn Robinson
Administrative Support	Sophie Coates

Policy, community legal education and aboriginal outreach

Policy Solicitor	Fiona Hussin LLB
Policy Support	Bethany Lohmeyer BA LLB (part-time)
Indigenous Community Liaison	Michael Petterson
Multicultural Educator	Gener Lapina

Corporate services

Deputy Director	Meredith Harrison LLB
Personal Assistant	Tina Baylis

ASSIGNMENTS PRACTICE

Manager	Haley Richardson
Administrative Assistants	Amanda Bamford (on maternity leave) Denise Oliver Tina Baylis
Administrative Support	Jessica Payne (on maternity leave) Georgina Kokkinidis

BUSINESS SERVICES

Finance Manager	Barbara Lelli CPA
Human Resource Manager	Leeanne Morris
Finance & Corporate Support Services	Karen Markos Jeanon Cubillo
Projects	Sue Reddy
Administration	Chloe Coleman-Harty Carolyn McKinney-Smith Macgregor Cookson

LIBRARY SERVICES

Library and Information Coordinator	Helen Edney

Palmerston

Community Legal Education	Melinda Schroeder
Legal Secretary	Jodie Bawden

Katherine

Solicitor	Thomasin Opie BA LLB (on maternity leave) Philippa Jones LLB (Hons)
Legal Secretaries	Cassie Lamb Bianca Aloisi

Tennant Creek

Manager	Wendy Vismans

Alice Springs

Managing Solicitor	Russell Goldflam BA BLEGS (Hons), Grad Dip E
Solicitors	Julia Munster BA (Hons) LLB Kevin Banbury BDip LLBG Sally Bolton BA LLB (Hons) Dara Read BA LLB (Hons)
Legal Secretaries	Anne Coleman Tanya Ball
Administrative Support	Teodora Yaneva
Indigenous Community Liaison	George Peckham
Community Liaison Assistant	Jenny Turner-Walker

Domestic violence legal service

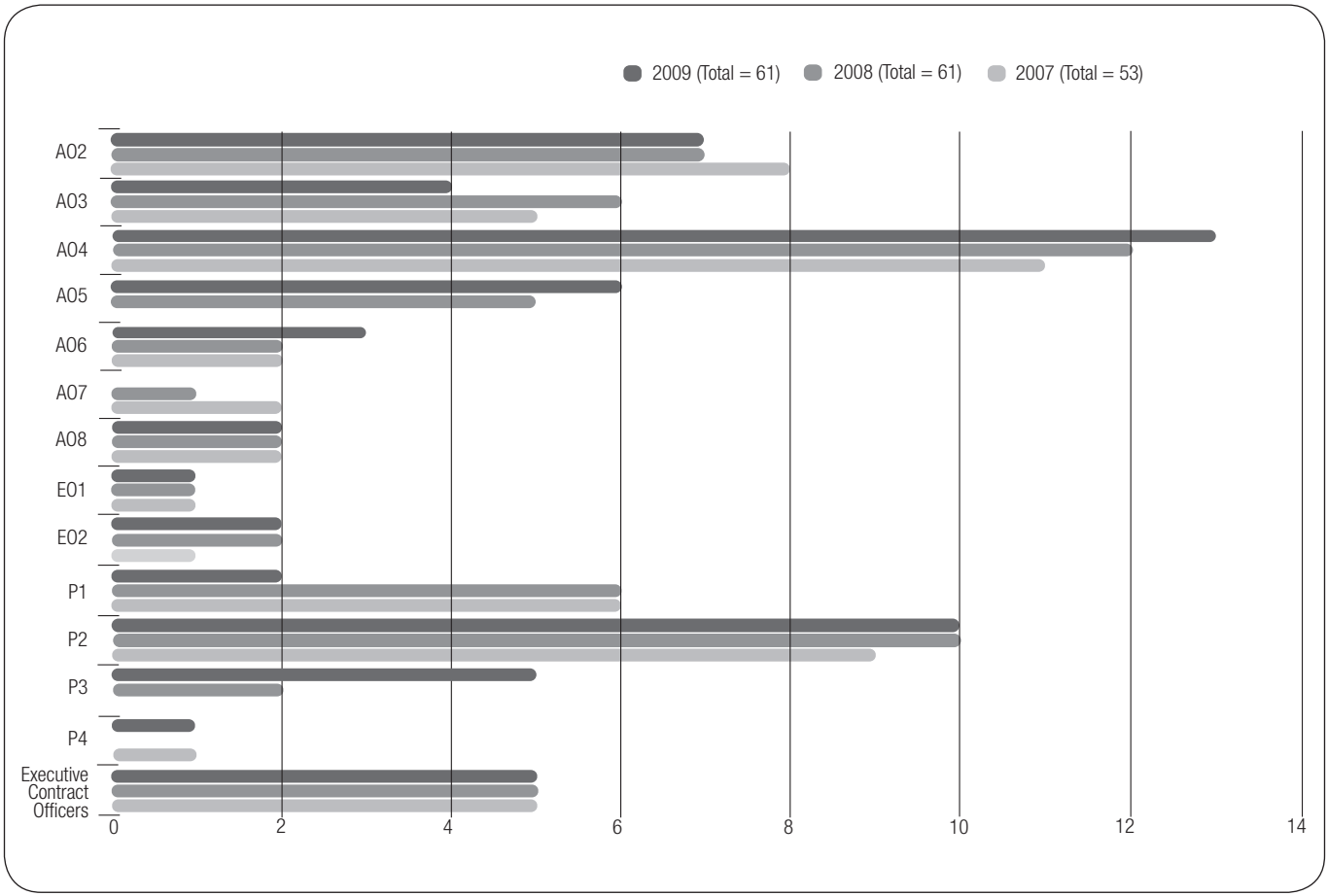
Managing Solicitor	Sue Phoo LLB BSc
Legal Secretary	Nesta Roberts

Volunteers

Under Section 8 of the *Legal Aid Act* the Commission shall encourage persons who are not legal practitioners to participate, as far as is practicable, in a volunteer capacity whilst under professional supervision. During the year the Commission "recruited" 2 volunteers.

Staffing levels

Staffing levels as at 30th June 2009 were:



AO - Administrative Grades; EO - Executive Grades; P - Professional Grades (Legal Officers). All legal officers are on employment contracts.

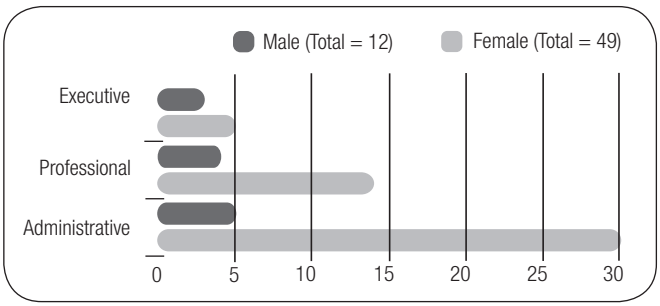
Resignations/leave without pay

During the year 13 people left the Commission's employment.

Equal employment opportunity

Management monitors the internal environment to ensure that equal employment opportunities are present. Because of the nature of the staff who are attracted to the Legal Aid Environment issues of discrimination seldom, if ever, arise.

Distribution of the sexes is as follows:



Northern Territory community involvement

During the year members of staff, in their own time, contributed to the development of their respective professional associations, as well as:

- Law Society of the NT, councillor
- Law Society of the NT Indigenous Issues Committee, chair
- Law Society of the NT Criminal Justice Committee, chair
- Law Council of Australia, Indigenous Legal Issues Committee, member
- Top End Women's Legal Service Management Committee, member
- YWCA Darwin, board member
- Youth Justice Advisory Committee, NT Law Society Representative
- Central Australian Womens Legal Service, treasurer
- YWCA Darwin, vice president
- Darwin Gymnastic Club, president
- Watch this Space board, secretary
- Central Australian Human Research Ethics Committee, legal member
- Peoples Alcohol Action Committee, member
- Australian Law Librarians National Conference 2009 - Darwin Convention Centre - Organising Committee member
- Cox Country club, committee member;
- Wagait Beach Fishing Club, secretary;
- Australian Law Librarians Association, member
- Northern Territory Genealogical Society, member
- Top End Women's Legal Service, secretary
- Darwin Community Legal Service, general management committeee member

Staff development

During the year various members of staff were involved in staff development programs. The nature of the programs included conferences, workshops, seminars and training courses. The programs included:

- Impact of Domestic Violence on Children
- Migration Institute of Australia
- Refugee & Immigration Legal Service
- Word Introduction
- Professional Courtesy in Court
- International Conference Child Labour
- Child Support SALAC
- Family Dispute Resolution Training
- Experts, Spooks & e-discovery
- National CLC Conference
- Financial Management using Excel
- Workplace Discrimination - Employment liability
- 2008 National HREC Chair Roundtable
- Impact of International law on Australia and NT domestic law
- First Aid
- Mental Health First Aid Training
- Australian Law Librarians Association Conference
- Criminal Law Conference
- Essentials of Family Law Practice
- Male Summit
- Senior First Aid Course
- Dealing with Difficult People
- Time Management
- Safetalk Workshop - Lifeline Central
- Assist Workshop - Lifeline Central
- National Access to Justice & Pro Bono Conference
- Word - Intermediate
- Pleadings in Practice
- Exploring & Testing Credibility Of Family Reports
- The Indispensable Assistant
- Assist Workshop - Lifeline Central
- Information Online 2009 Conference
- Inaugural Family Law System Conference
- Become a better communicator
- Dealing effectively with unacceptable employee behaviour
- CPD - Legislation update
- CPD - Jury Trial Preparation
- Working with Interpreters
- CPD - Hitchhikers Guide to Youth Justice Courts
- CPD - Cross Border Justice Bill
- 13th Annual Family Law Intensive

- Mediation Conferencing Forum
- Managing Multiple Projects
- CPD - Guide to Youth Justice Courts
- CPD - Ethical Issues in Cross Exam
- CPD - Whistleblowers Act
- CPD - Alcohol Restrict Alice
- Corporate PA Summit
- CPD - How Can We Improve the Trial Process
- CPD - Personal Violence Restrain Order
- CPD - Ethical Issues in Cross Exam
- Train the Trainer
- CPD - Cross Border Justice Bill
- CPD - Advocacy in Criminal Law
- Migration - Legend.com
- CLANT Bali Conference
- Netiquette
- Defacto Property Regime
- Immigration - CPD Program June 09
- Cultural Competence Seminar
- CPD - Understanding Financial Stats
- CPD - Taming Technology
- CPD - Pressure On

Occupational health and safety

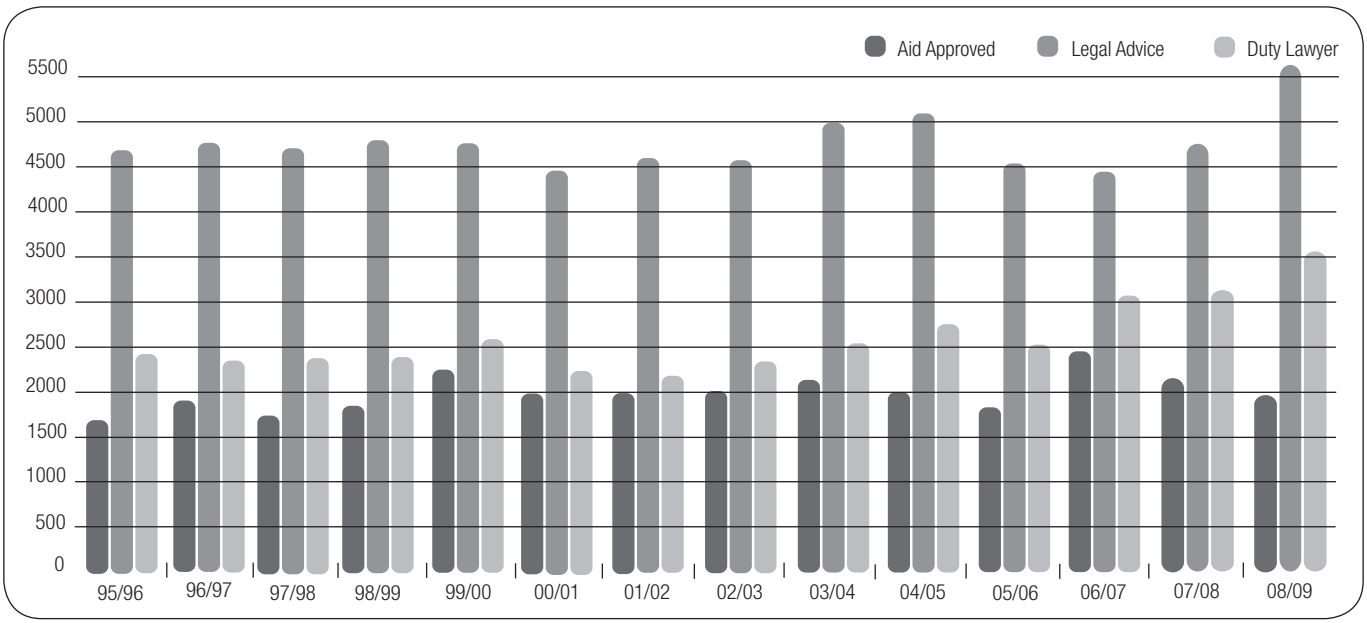
A tobacco free environment exists. Employees are encouraged to adopt safe working practices. The Commission encourages and promotes a healthy work-life balance.

Achievements

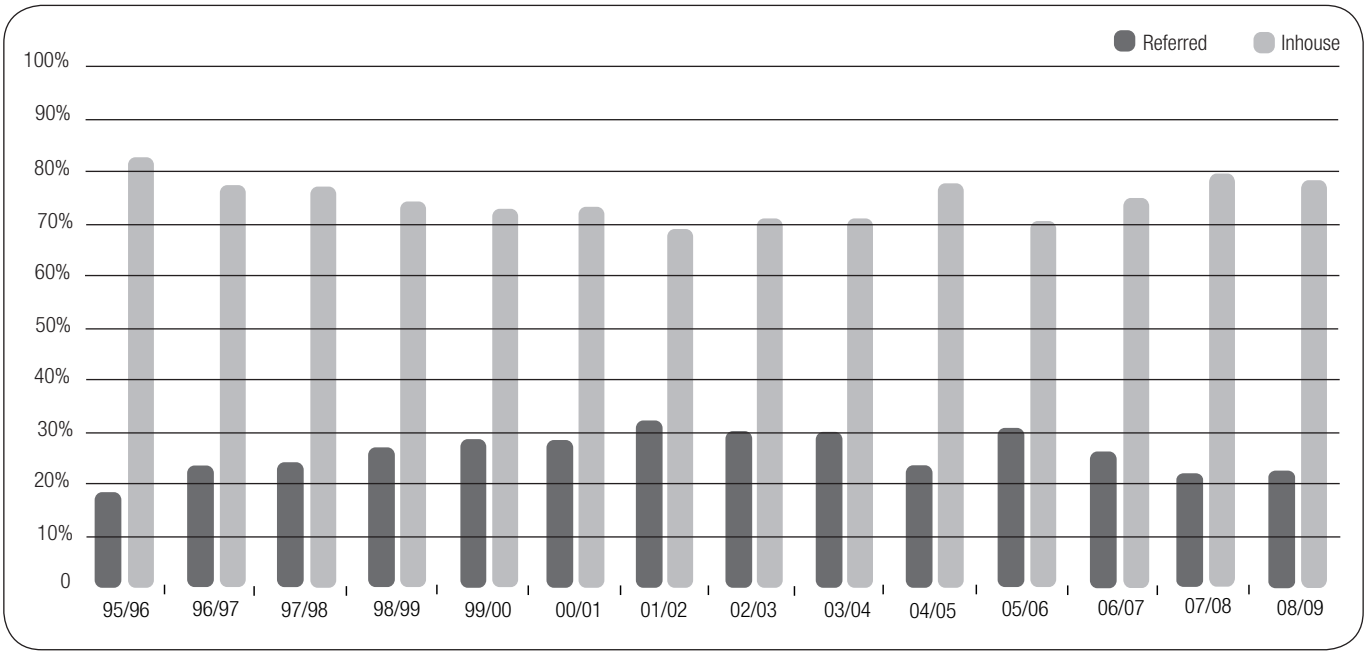
During the year:

- 2,305 applications for aid were received.
- 1,977 applications for aid were approved.
- 422 approved applications for aid were referred to private practitioners.
- 1,555 approved applications for aid were handled by Commission staff.
- 5,695 persons received free legal advice.
- 3,581 persons received advice and/or were represented by Duty Lawyers.
- 3,951 persons accessed the free telephone legal information service.

Prior years comparative



Referred: inhouse matters



Performance

Performance indicators 2004-2005 to 2008-2009

	04/05	05/06	06/07	07/08	08/09
Population	201,800	204,500	213,800	218,400	223,100
Estimated No. of Clients	12,549	11,989	13,107	13,716	15,204
Per 1000 head of population					
Legal Advice Provided	25.20	24.47	22.68	23.96	25.53
Duty Lawyer Services	13.59	12.55	14.95	14.25	16.05
Applications for Legal Aid					
Received	12.22	10.52	12.54	11.29	10.33
Approved	9.68	8.77	10.83	9.78	8.86
Refused	2.39	1.62	1.50	1.28	1.26
Telephone Legal Information Clients	13.72	12.84	12.85	14.81	17.71
Estimated Clients	62.19	58.63	61.30	62.80	68.15

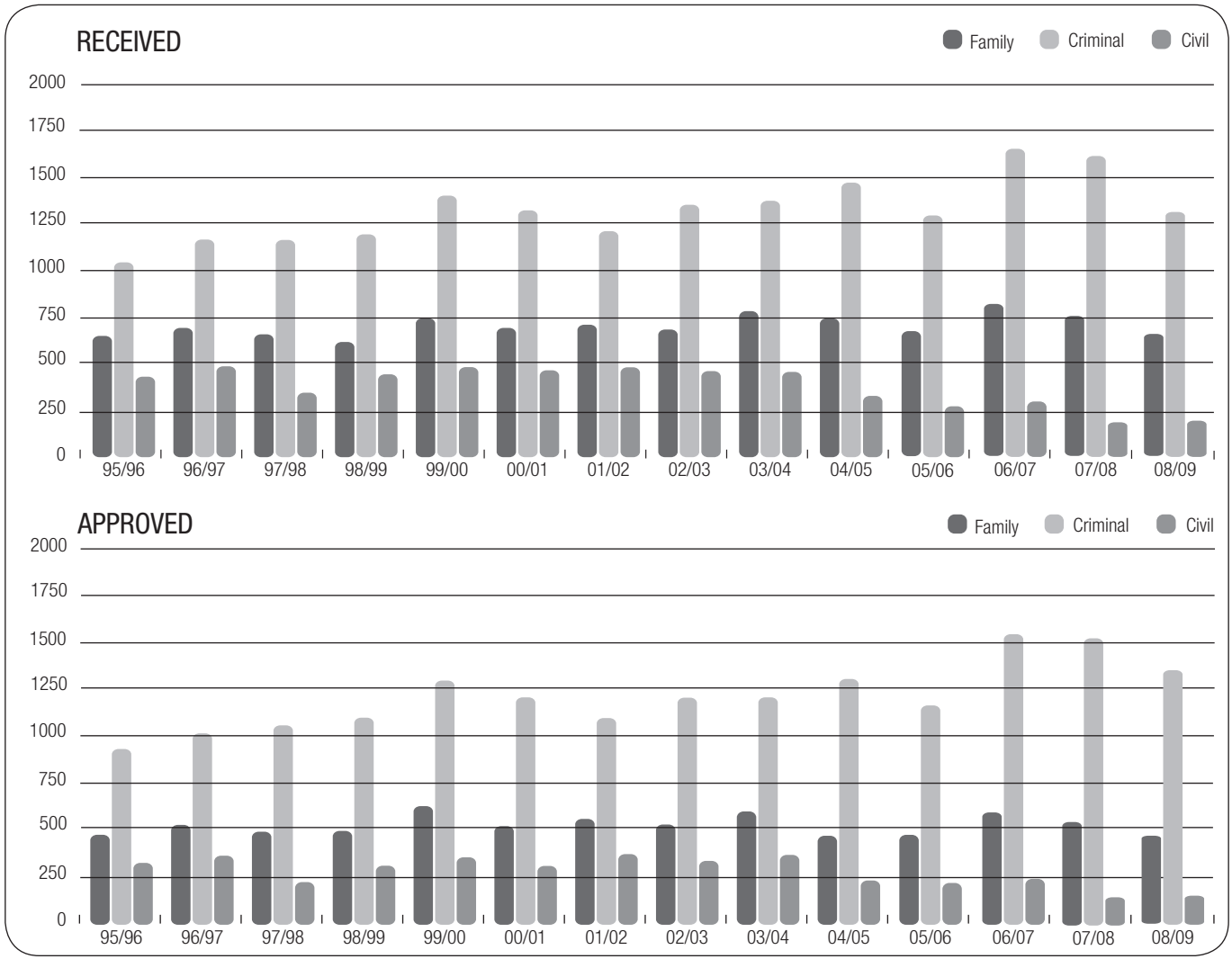
Output statistics

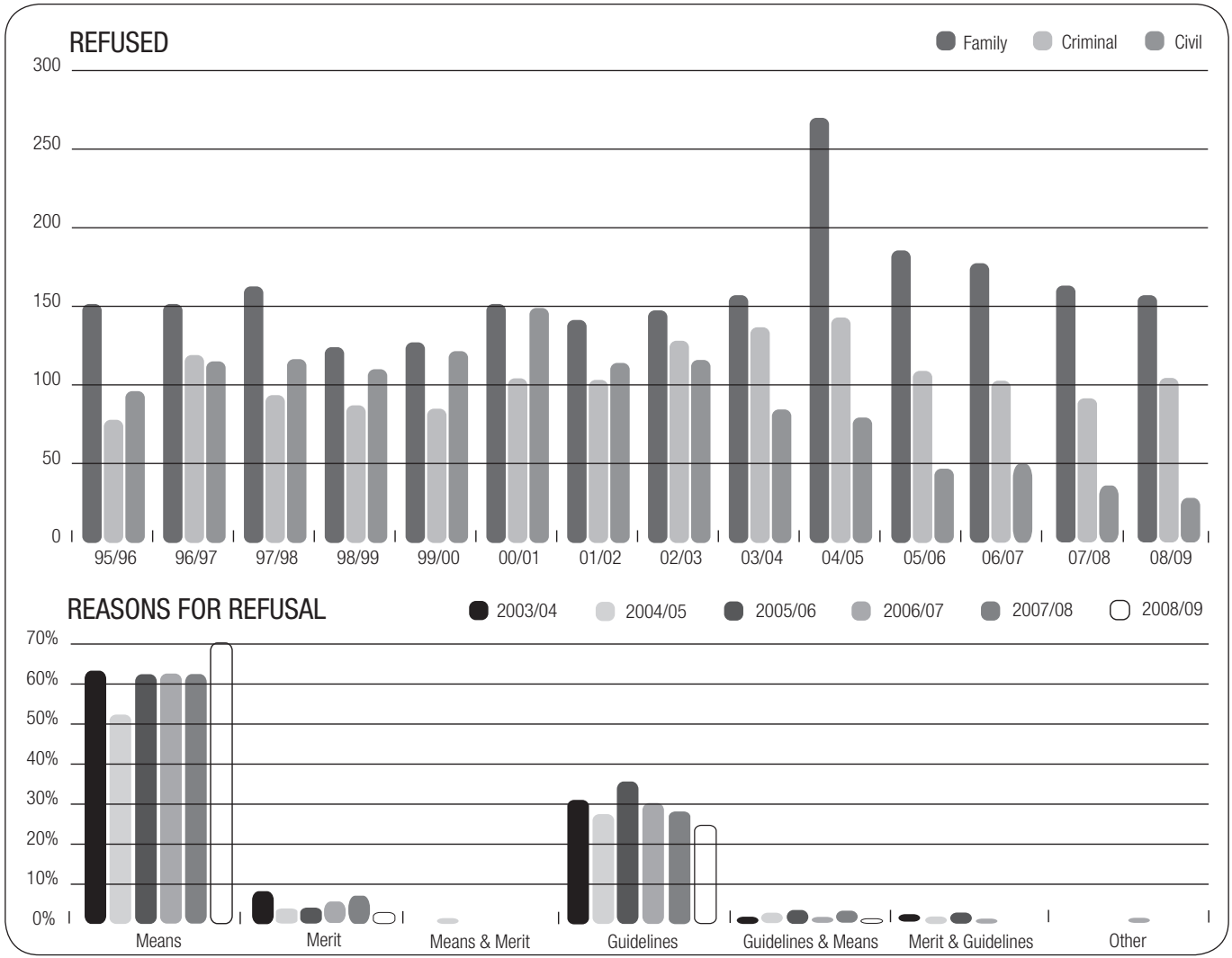
Summary of major activities

	04/05	05/06	06/07	07/08	08/09
Legal aid service					
Applications for Aid:					
Received	2,466	2,152	2,682	2,465	2,305
Approved	1,954	1,793	2,315	2,135	1,977
Refused	482	331	321	280	280
Free Legal Advice Sessions	5,085	5,004	4,849	5,233	5,695
Duty Lawyer Services	2,742	2,567	3,196	3,113	3,581
Telephone Information Clients	2,768	2,625	2,747	3,235	3,951
Payments to private practitioners (includes disbursements)					
Referred Cases					
Family	528,869	575,185	693,854	631,103	475,652
Criminal	483,684	434,883	414,545	500,666	475,317
Civil	295,215	334,889	228,495	200,431	174,918
Domestic Violence	30,657	39,545	49,850	49,292	32,017
Duty Solicitor	41,120	99,800	108,798	115,125	113,900
Locums	40,980	50,585	53,822	51,681	61,963
Conflict Advice (previously paid as referrals)				44,745	39,850
Disbursements on inhouse cases					
Family	29,942	28,972	48,395	58,581	46,008
Criminal	968,754	871,357	717,752	580,552	445,823
Civil	3,825	9,311	11,079	3,630	6,600
Domestic Violence	607	814	955	3,757	1,213
TOTAL	**2,423,653**	**2,445,341**	**2,327,545**	**2,239,563**	**1,873,261**

	04/05	05/06	06/07	07/08	08/09
Applications approved and referred to private practitioners					
Family	185	232	292	235	237
Criminal	67	69	129	132	99
Civil	186	173	156	66	70
Domestic Violence	10	11	13	15	16
TOTAL	**448**	**485**	**590**	**448**	**422**
Applications approved and handled by commission staff					
Family	233	200	259	256	223
Criminal	1,227	1,075	1,396	1,367	1,258
Civil	31	22	61	51	61
Domestic Violence	15	11	9	13	13
TOTAL	**1,506**	**1,308**	**1,725**	**1,687**	**1,555**
Free advice sessions					
Family	1,808	1,807	1,735	1,931	1,905
Criminal	1,319	1,269	1,156	1,268	1,520
Civil	1,482	1,447	1,556	1,606	1,949
Domestic Violence	476	481	402	428	321
TOTAL	**5,085**	**5,004**	**4,849**	**5,233**	**5,695**
Duty lawyer services					
Family					
Advice Only	21	32	13	24	35
Advice and Representation	34	9	94	172	332
Other	2	3	1	1	3
Criminal					
Advice Only	289	294	94	176	257
Advice and Representation	2,116	1,926	2,616	2,339	2,486
Other	16	13	6	7	14
Domestic Violence	57	85	116	208	203
Civil					
Advice Only	12	15	7	4	8
Advice and Representation	192	190	248	181	243
Other	3	0	1	1	0
TOTAL	**2,742**	**2,567**	**3,196**	**3,113**	**3,581**

Applications for aid



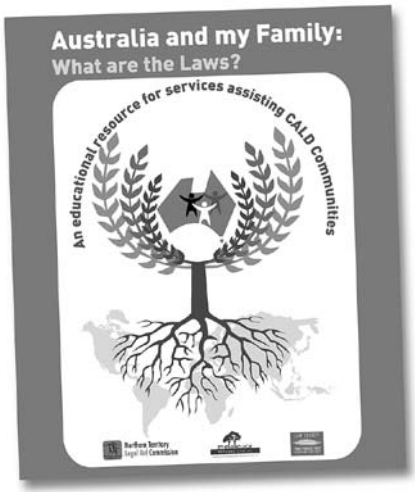

REFUSED
Family
Criminal
Civil
300
250
200
150
100
50
0
95/96
96/97
97/98
98/99
99/00
00/01
01/02
02/03
03/04
04/05
05/06
06/07
07/08
08/09
REASONS FOR REFUSAL
2003/04
2004/05
2005/06
2006/07
2007/08
2008/09
70%
60%
50%
40%
30%
20%
10%
0%
Means
Merit
Means & Merit
Guidelines
Guidelines & Means
Merit & Guidelines
Other

Community legal education

Project work

CALD Project

In the period between 2004 and 2009, over 4000 migrants settled in the Northern Territory, contributing to the increasing number of culturally and linguistically diverse ('CALD') communities of Darwin. Out of the total migrants over the five year period, nearly 15 percent were humanitarian entrants. Refugees and migrants under the humanitarian program are particularly more vulnerable to the challenges of resettlement; finding work, housing, social support, accessing services, and adjusting to the culture. Often, newly arrived refugees and migrants have misconceptions about government, their rights, and the legal system in general. Legal education for CALD communities facilitates access to legal services, as well as improving awareness of the law, and ultimately, empowering citizens.



The Commission identified the need to appropriately respond to clients from CALD backgrounds in the 2007-2010 Strategic Plan.

Introduction of the CALD Project to community groups

In the 2007-2008 year, consultations were held with Melaleuca Refugee Centre ('Melaleuca') to consider the needs which may exist among the migrant and emerging communities in the Darwin region. A funding proposal was developed in conjunction with Melaleuca to develop a *Culturally and Linguistically Diverse Communities Project Kit* ('the Kit'), focussing on family law.

Consultations were held with migrant and refugee groups and stakeholders in the Darwin region to inform the development of the Kit. The Kit was finalised this year. It includes modules about the Australian Legal System, Family Law and Child Protection Matters. We will proudly formally launch the Kit in conjunction with Melaleuca Refugee Centre in the coming year.

The intended users of this kit are service providers and legal practitioners who engage with refugee and migrant families in the Northern Territory. The information is aimed for newly arrived refugees and migrants, which includes those that have arrived within the last five years.

In the next year the CALD Project will continue with a shift in focus away from the development of the Kit to the delivery of the information in the Kit.

Mega Services Expo

Top End Family Pathways Network

Pathways groups are networks where government, non-government, community and private enterprise organisations who provide diverse services, link together to better serve the needs of our community's separating families. The network was formed as a response to the report *Out of the Maze, Pathways to the Future for Families Experiencing Separation* by the Family Law Pathways Advisory Group in July 2001. The Top End Family Pathways Network receives funding from the Commonwealth Attorney-General's Department, Family Pathways Branch towards secretariat support for our network. The Commission provides the secretariat support for the Top End Family Pathways Network.

Members of the Darwin Family Pathways Network come from a wide range of organisations that provide services for separating families, including counsellors, mediators and legal practitioners specialising in family law, and representatives from other services such as Family Law Courts, the Child Support Agency and Centrelink.

A key activity of the Network continues to be to hold regular meetings of service providers to keep organisations connected and up to date with the service each is providing as well as any recent developments or changes to procedure.

Throughout the year the Network developed and updated a training and program calendar for services to provide up to date information about program activities and ensure appropriate referral information.

A Mega Services Expo was held in Nhulunbuy on Tuesday 18 November 2008 and service providers from Darwin and Nhulunbuy participated. Two case studies of separating families were used to learn about the different services provided by various agencies. The event was very well attended by Nhulunbuy services and was a great opportunity for us to network and learn how our services can assist clients, particularly given Nhulunbuy's remote locality and differing population demographics.

Plans for the next financial year for the network include republishing and relaunching "Who Can Help You – Assistance for Separating Families", a directory of services for agencies to use as a referral tool, and collaborating with the Alice Springs Pathways Network to conduct a Family Law Forum, which will be held in both Darwin and Alice Springs.

Outreach Project

The Commission received funding in late 2007 to undertake additional outreach activities arising as a result of the Northern Territory Emergency Response (NTER).

In December 2007 the Commission commenced an outreach legal education project which includes information sessions, education workshops, legal advice, and minor assistance to people in communities prescribed under the NTER legislation. This project represents a significant shift in the Commission's service delivery model so flexibility and continuous review to respond to client and service needs is an important part of the project and has been a focus this year.

The Commission has predominantly targeted remote communities that are not on the bush court circuit and, as a result, are not regularly visited by legal services. However, we have also found that communities on the court circuit also have unmet legal needs, as the court lists are often long, time is short, and lawyers have a very limited time to take instruction from clients, or to explain the meaning of various legal options.

The visits have highlighted a wide variety of topics and issues. The style, number of participants and length of visits have varied greatly from community to community, according to locally specific needs and issues. Participant numbers have varied from very small groups to large public meetings attended by the majority of the community.

Approximately 43 meetings and visits to prescribed communities were held in the year to have discussions with organisations and community members in relation to legal education needs and work with community members in deciding how best to meet those needs. Where possible, these activities are planned and delivered in conjunction with other legal and related services such as the Aboriginal legal services, women's legal services, Consumer Affairs, Anti-discrimination Commission and the Australian Securities and Investment Commission. The Commission has had to be innovative in information delivery and as part of this has been involved in the presentation of several film nights throughout the year which enable people to receive legal information through DVDs in their community, followed by access to legal staff to assist them.

The Commission undertakes a variety of follow-up activities as a result of visits. Referral is provided to other services as appropriate. Minor assistance with legal issues is provided to clients by the visiting lawyer in some cases. Advocacy is undertaken in a number of ways on issues such as housing, income management, transport, policing issues and employment.

In the coming year, we will build on the knowledge and experience we have gained to enhance our structures and consider future support and infrastructure needs of the project.

Katherine Region Legal Services

Katherine Region Legal Services Workshop

Katherine Region Legal Services held a combined workshop in Katherine on 22 October 2008 to explore opportunities to work better together.

With all the recent changes occurring in the region, in part through increased activities, resources and as a result of the Northern Territory Emergency Intervention (NTER), it was timely that the services met and considered some collective strategies which could be developed.

The Katherine Regional Legal Services aim to be able to raise the profile of the issues that impact on the provision of legal services to its community.

Participants at the workshop included representatives from the following organisations:

- Northern Territory Legal Aid Commission
- North Australian Aboriginal Justice Agency
- Darwin Community Legal Service
- Katherine Women's Information & Legal Service Inc.
- Katherine Aboriginal Families' Support Unit

In all there were 18 participants in attendance for the day. As a group, the representatives from each service considered the past and present impacts on the region and the future opportunities.

The workshop was designed to encourage critical analysis of the issues that impact on the provision of legal services within the Katherine region. The question as to whether the Katherine Regional Legal Services could develop collective strategies to support the provision of responsive legal services to the community within the Katherine region was answered with a resounding yes!

The services now have a mandate for collaboration which will be driven by specific strategies. We are planning to host another forum in the coming year to further build on the outcomes of the workshop.

CLE Workshop

Team Workshop

A CLE 'brainstorming' day was held in Darwin in November which all members of the outreach team attended. It was the first opportunity we have had since the team has expanded to come together and talk about what we are commonly experiencing and how we are approaching our work.

The following values and principles were identified by the CLE team:

Access	Community access to services and justice
Capacity Building	Internal and external capacity development
Equality	No discrimination
Inclusion	Respect of the importance/value of identity and diversity
Partnerships	Undertaking work that is community driven, consultative and collaborative
Communication	Listening, patience and trust
Flexibility	In access, process, delivery and outcomes

Information stall in Darwin Mall for Law Week

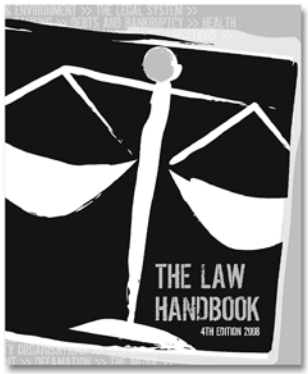
Law Week

The Commission was involved in a number of activities in relation to Law Week, including the Information Day at Raintree Park which is held each year to launch Law Week. This provides an opportunity for Legal Aid to promote its service as one of a number of support agencies available to people encountering legal issues. A new Legal Aid addition to Law Week in 2009 was the Darwin 'Mystery Bus Tour' to service providers. The Tour visited a range of legal and related services and participants received a summary of the functions and activities of that service. The aim of the bus tour was to provide an informal way for service providers to receive an overview of the activities of each agency/service.

Community legal education resources

Legal Information Line

The Commission continues to offer access to legal information across the NT through our 1800 number legal information line. This line is staffed by paralegal employees of the Commission who receive regular training in a range of legal issues. We are pleased with the public use of and demand for the legal information line, with the number of calls to the legal information line growing by over 100 this financial year.



Law Handbook

The Law Handbook is a practical guide to legal issues which affect people living in the Northern Territory. It includes information on the legal system, marriage, children, credit and debt, criminal proceedings, discrimination, young people, social security, health, copyright and much more.

Volunteers from the legal profession as well as government and community workers contributed their time and expertise to write the contents for this edition.

As well as being a valuable resource for residents of the Territory, local business and service providers, it is also a great resource for the legal profession.

The publication, partly funded by the Public Purposes Trust Fund, was also supported by the Commission in partnership with the Darwin Community Legal Service.

The Law Handbook was launched in Tennant Creek by His Honour the Administrator, Tom Pauling AO QC, on 30 April 2009 and as part of Law Week, was also launched in Raintree Park in May 2009.

Katherine Legal Services Poster

Legal Services to the Katherine region will present a united face through a new poster displaying the details and symbols of the services available to the public in the Katherine Region.

The poster was launched in Katherine on 22 October 2008. The poster includes contact details for the Commission; the North Australian Aboriginal Justice Agency; the Katherine Women's Information and Legal Services Inc, the Darwin Community Legal Service and the Katherine Aboriginal Families' Support Unit.

The aim of the poster is to provide at-a-glance information to people in the region to assist them to understand the range of services available to them and to decide which service is best able to meet their needs.

Worried About Warrants Factsheet

A new factsheet was developed during the year as a result of the number of questions we have had about warrants since the Outreach Project commenced. The factsheet has been developed using cartoon images which are particularly relevant to the Central Australian region, reflecting the high level of concern in relation to warrants coming from people in this region.

Publications and reprints completed

We have continued to revise our existing publications and have reprinted the following:

- *Law Handbook 4th Edition*
- *Worried about Warrants Fact sheets*
- *About the NTLAC*
- *About the Criminal Law Section*
- *Inside Outside*

Publications underway

- *Drink Drive Plead Guilty*
- *Who Can Help You – Assistance for Separating Families*
- *Cop This!*
- *What Age Can I?*

Tennant Creek staff with the Barkley Region Legal Services Poster

Policy and law reform

The Commission continues to be involved in networks, representative groups and meetings which assist with and inform our contribution to legal policy and law reform developments in the NT and at a national level. Listed below are some of the key areas of involvement this year:

- Mandatory reporting of domestic and family violence and child abuse;
- Sentencing Amendment (Violent Offences) Bill;
- NT Emergency Response Review;
- Cross Borders Justice;
- Liquor Reforms;
- Youth Justice Issues;
- National Human Rights Consultation;
- National Indigenous Law and Justice Framework;
- Housing and Tenancy Issues;
- Territory 2030; and
- Imprisonment, prisoner growth and recidivism.

Information Act 2003 (NT)

The following information is held by the Commission:

Publications information	Personal information	Other information
NTLAC Guidelines and Scale of Costs	Client	Financial
NTCLAF Guidelines	Personnel	Statistical
Community Legal Education Booklets (various topics)		Policies Manuals
Pamphlets (various topics)		Administration
Annual Reports		Law Reform

Publications are available upon request free of charge.

Access to other information, including personal information must be made on the appropriate application form obtainable from and returnable to:

The information officer

Northern Territory Legal Aid Commission
6th Floor, 9-11 Cavenagh Street, Darwin

Postal: Locked Bag 11, Darwin NT 0801

Telephone: (08) 89993000

Fax: (08) 89993099

NB: Applications must be accompanied by proof of identity (eg. Passport, Drivers' Licence etc). To facilitate the identity check, applications may be lodged in person at any of the Commission's offices listed below. The Application form will be forwarded to the Information Officer in Darwin, if the local office is unable to assist.

DARWIN
6th Floor, 9-11 Cavenagh Street

PALMERSTON
Shop 6, Goyder Centre, 25 Chung Wah Terrace

KATHERINE
20 Second Street

TENNANT CREEK
163 Paterson Street

ALICE SPRINGS
77 Hartley Street

Fees

Access to or correction of personal information	No Fee
Access to published information	No fee
Access to information other than personal information or published information	A $30.00 fee and a 60¢ per page charge for photocopying of documents of more than 20 pages may apply

Applications

	04/05	05/06	06/07	07/08	08/09
Applications Received	1	10	1	2	14
Applications Approved	1	8	1	2	13
Applications Pending	0	0	0	0	0
Referred to another agency	0	2	0	0	1
Fees Waived	1	8	1	2	11

Domestic Violence legal service

Overall objectives:

Effective from April 2009

The Territory now funds the Commission to operate, outside of Its family law practice, a separate independent domestic violence legal service. This enables the Commission to offer a greater range of family law services to clients inhouse. The managing solicitor of the Service is provided with guidance, support and supervision by the Deputy Director of the Commission as required. To avoid conflicts the Service maintains its own client database independent of the Commission's client database.

The Service provides information, referrals, advice clinics, a duty lawyer service and legal representation. The Service also participates in relevant forums, community legal education and policy input.

Output statistics

Summary of major activities		08/09
Total services provided		
Applications for Aid:		
	Received	19
	Approved	19
	Refused	0
Free Legal Advice Sessions		49
Duty Lawyer Services		33

Northern Territory
Legal Aid Commission

Financials 2008-2009

FINANCIAL PERFORMANCE

This year the Commission's operations resulted in a deficit of $109,180.

The table below shows the percentage distribution of expenditure incurred and revenue earned from 2001-2009.

	01/02	02/03	03/04	04/05	05/06	06/07	07/08	08/09
Percentage of total expenditure								
Personnel Costs	44.72	46.88	47.46	45.14	44.33	45.61	47.41	52.38
Administration Costs	21.39	12.65	17.83	19.44	18.90	19.86	22.13	22.13
Legal Costs	31.19	36.60	31.71	34.42	33.64	29.45	25.12	21.14
Minor Assets	1.81	1.97	1.78	0.11	1.81	2.24	2.66	1.46
Depreciation	0.89	1.90	1.22	0.89	1.32	2.84	2.68	2.89
Percentage of revenue								
Commonwealth	41.60	39.65	40.29	43.05	43.99	44.08	40.00	41.17
NT Government	34.42	39.85	38.54	33.12	39.85	40.86	37.47	39.27
Commonwealth Other	9.84	5.65	8.25	13.00	4.97	3.52	13.85	11.13
NT Government Other	0.00	0.00	2.72	3.40	3.13	3.09	2.72	3.77
TOTAL GOVERNMENT FUNDING	**85.86**	**85.15**	**89.8**	**92.57**	**91.94**	**91.55**	**94.04**	**95.34**
Contributions and Recovered Costs	9.52	8.99	6.52	4.82	5.24	5.39	2.82	2.26
Interest Earned	2.56	3.05	2.70	2.36	2.56	2.88	2.85	2.09
Other	2.06	2.81	0.98	0.25	0.26	0.18	0.29	0.31
TOTAL SELF-GENERATED	**14.14**	**14.85**	**10.20**	**7.43**	**8.06**	**8.45**	**5.96**	**4.66**

GENERAL PURPOSE FINANCIAL STATEMENTS
AS AT 30 JUNE 2009

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AUDITOR-GENERAL

Independent Auditor's Report to the Attorney-General
Northern Territory Legal Aid Commission
Year Ended 30 June 2009

I have audited the accompanying financial report of Northern Territory Legal Aid Commission, which comprises the income statement, balance sheet, statement of changes in equity and cash flow statement and accompanying notes to the financial statements for the year ended 30 June 2009.

The Responsibility of the Director for the Financial Report

The Director of Northern Territory Legal Aid Commission is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations). This responsibility includes designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on the financial report based on my audit. I conducted my audit in accordance with Australian Auditing Standards. These Auditing Standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Director, as well as evaluating the overall presentation of the financial report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Auditor's Opinion

In my opinion, the financial report presents fairly, in all material respects, the financial position of Northern Territory Legal Aid Commission as of 30 June 2009, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations).

F McGuiness
Auditor-General for the Northern Territory
Darwin, Northern Territory

26 November 2009

Level 12 Northern Territory House 22 Mitchell Street Darwin NT 0800 Tel: 08 8999 7155 Fax: 08 8999 7144

STATEMENT BY DIRECTORS

In the opinion of the Director of the Northern Territory Legal Aid Commission:

(a) the accompanying general purpose financial statements of the Commission present fairly the Commission's financial position as at 30 June 2009, and its performance for the year ended on that date in accordance with Accounting Standards and other mandatory professional reporting requirements;

(b) at the date of this statement there are reasonable grounds to believe that the Commission will be able to pay its debts as and when they become due and payable; and

(c) at the time of signing, we are not aware of any circumstances that would render the particulars included in the financial statements misleading or inaccurate.

Signed in Darwin this 26th day of NOVEMBER 2009.

Suzan Cox QC
DIRECTOR

Meredith Harrison
DEPUTY DIRECTOR

INCOME STATEMENT
YEAR ENDED 30 JUNE 2009

	Notes	2009	2008
		$	$
Revenue	2	8,752,784	8,821,127
Depreciation expense	3	(256,109)	(236,344)
Salaries and employee benefits expense		(4,642,140)	(4,188,872)
Legal expense		(1,873,261)	(2,219,388)
Administration expense		(1,289,942)	(1,391,861)
Other expenses		(800,512)	(798,730)
NET (LOSS)/PROFIT FOR THE PERIOD		**(109,180)**	**(14,068)**

The Income Statement is to be read in conjunction with the notes to the financial statements.

BALANCE SHEET
AT 30 JUNE 2009

	Notes	2009 $	2008 $
Current assets			
Cash and cash equivalents	4	1,627,386	1,853,747
Trade receivables	5	95,012	103,357
Investments	6	1,438,961	1,408,266
Other receivables	7	187,337	188,736
TOTAL CURRENT ASSETS		3,348,696	3,554,106
Non-current assets			
Property, plant and equipment	8	1,416,951	1,327,453
Other	15	200,000	200,000
TOTAL NON-CURRENT ASSETS		1,616,951	1,527,453
TOTAL ASSETS		**4,965,647**	**5,081,559**
Current liabilities			
Trade and other payables	9	216,746	358,794
Provisions	10	830,527	731,360
TOTAL CURRENT LIABILITIES		**1,047,273**	**1,090,154**
Non-current liabilities			
Provisions	10	213,919	177,770
TOTAL NON-CURRENT LIABILITIES		213,919	177,770
TOTAL LIABILITIES		**1,261,192**	**1,267,924**
NET ASSETS		**3,704,455**	**3,813,635**
Equity			
Retained Earnings	17	1,232,197	1,341,377
Reserves	16	2,472,258	2,472,258
TOTAL EQUITY		**3,704,455**	**3,813,635**

The Balance Sheet is to be read in conjunction with the notes to the financial statements.

CASH FLOW STATEMENT
YEAR ENDED 30 JUNE 2009

	Notes	2009 $	2008 $
Cash flows from operating activities			
Cash receipts in the course of operations		233,736	304,989
Interest received in the course of operations		182,725	251,454
Grants received in the course of operations		8,346,067	8,203,091
Cash payments in the course of operations		(8,611,657)	(8,540,459)
NET CASH FLOWS FROM/(USED IN) OPERATING ACTIVITIES	**13**	**150,871**	**219,075**
Cash flows from investing activities			
Net (Payments)/Proceeds for property, plant and equipment		(346,537)	(708,367)
Net (Investment)/Divestment in investments		(30,695)	18,676
NET CASH FLOWS (USED IN)/FROM INVESTING ACTIVITIES		**(377,232)**	**(689,691)**
Net (decrease)/increase in cash and cash equivalents		(226,361)	(470,616)
Cash and cash equivalents at the beginning of the period		1,853,747	2,324,363
CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD	**4**	**1,627,386**	**1,853,747**

The Cash Flow Statement should be read in conjunction with the notes to the financial statements.

STATEMENT OF CHANGES IN EQUITY
YEAR ENDED 30 JUNE 2009

	Notes	Reserves $	Retained earnings $	TOTAL $
BALANCE AT 1 JULY 2007		**2,740,169**	**1,207,426**	**3,947,595**
Loss for the year		0	(14,068)	(14,068)
Transfer from Reserves		(148,019)	148,019	0
Revaluation Increments		(119,892)	0	(119,892)
BALANCE AT 30 JUNE 2008	**16 & 17**	**2,472,258**	**1,341,377**	**3,813,635**
Loss for the year		0	(109,180)	(109,180)
Transfer from Reserves		0	0	0
Revaluation Increments		0	0	0
BALANCE AT 30 JUNE 2009		**2,472,258**	**1,232,197**	**3,704,455**

The Statement of Changes in Equity should be read in conjunction with the notes to the financial statements.

NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED 30 JUNE 2009

1. Summary of significant accounting policies

The Northern Territory Legal Aid Commission was established on 11 June 1990 by the *Legal Aid Act* 1990. The function of the Commission is to provide legal assistance in accordance with this Act. The Commission commenced its activities on 1 July 1990.

a) Principal place of Business

The Commission holds its principal place of business at Level 6, 9-11 Cavenagh Street, Darwin.

b) Number of Employees

The Commission had 60 employees as at 30 June 2009 (2008 – 61 employees).

c) Basis of accounting

The financial report is a general purpose financial report which has been prepared in accordance with the requirements of Australian Accounting Standards and interpretation issued by the Australian Accounting Standards Board that apply for the reporting period.

The accounting policies used in the preparation of this report are consistent with previous years and are described below:

(i) The accounts have been prepared using the accrual basis of accounting applying the historical cost convention and the going concern assumption.

(ii) Cost in relation to assets represents the amount incurred or the fair value of the asset given in exchange adjusted to recoverable amount where necessary. In determining recoverable amount the expected net cash flows have been discounted to their present value.

(iii) Where necessary, comparative information has been reclassified to achieve consistency in disclosure with current financial year amounts and other disclosures.

(iv) The financial report is presented in Australian dollars and all values are rounded to the nearest dollar.

d) Statement of Compliance

Australian Accounting Standards require a statement of compliance with International Financial Reporting Standards (IFRSs) to be made where the financial report complies with these standards. Some Australian Accounting Standards contain requirements specific to not-for-profit entities that are inconsistent with IFRS requirements. Northern Territory Legal Aid Commission is a not for profit entity and has applied these requirements, so while this financial report complies with Australian Accounting Standards it cannot make this statement.

ADOPTION OF NEW AUSTRALIAN ACCOUNTING STANDARDS

No accounting standard has been adopted earlier than the application date as stated in the standard. The following new standards are applicable to the current reporting period.

FUTURE AUSTRALIAN ACCOUNTING STANDARD REQUIREMENTS

The AASB has issued the following amendments to relevant Australian Accounting Standards:

Amendments	Title	Effective for Annual Reporting periods
AASB 8 and AASB 2007-3	"Operating Segments" and the consequential amendments to other standards resulting from its issue	Beginning on or after 1 January 2009
AASB 101, AASB 2007-8 and AASB 2007-10	"Presentation of Financial Statements" revised standard and the consequential amendments to other standards resulting from its issue.	Beginning on or after 1 January 2009
AASB 123 and AASB 2007-6	"Borrowing Costs" revised standard and the consequential amendments to other standards resulting from its issue.	Beginning on or after 1 January 2009
AASB 127, AASB 3 and AASB 2008-3 AASB 2008-7	"Consolidated and Separate Financial Statements" and "Business Combinations" and the consequential amendments to other standards resulting from its issue.	Beginning on or after 1 July 2009
AASB 2008-5	"Amendments to Australian Accounting Standards arising from the Annual Improvements Project"	Beginning on or after 1 January 2009
AASB 2008-6	"Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project"	Beginning on or after 1 July 2009
AASB 2008-8	"Amendments to Australian Accounting Standards – Eligible Hedged Items" 1 July 2009	Beginning on or after
AASB 2009-2	'Amendments to Australian Accounting Standards – Improving Disclosures about Financial Instruments	Beginning on or after 1 January 2009

These amendments are not effective for the annual reporting period ended 30 June 2009 and have not been applied in preparing the Commission's financial statements. The Commission will apply these standards for the annual reporting periods beginning on or after the operative dates indicated above. It is expected that there will be no material financial impact from the application of these standards.

e) Changes in Accounting Policies

The accounting policies adopted in the current period are consistent with those of the previous year.

f) Government appropriation and grants

Government appropriation and grants are recognised in the Income Statement at the time of their receipt. All revenue is stated net of the amount of Goods and Services Tax (GST).

g) Cash

For the purposes of the Cash Flow Statement, cash includes cash on hand and in banks, and money market investments readily convertible to cash within two working days.

h) Financial Assets

The Commission classifies its financial assets in the following categories:

- 'financial assets at fair value through profit or loss',
- 'held-to-maturity investments', and
- 'loans and receivables'.

The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition. Financial assets are recognised and derecognised upon 'trade date'.

Effective interest method

The effective interest method is a method of calculating the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset, or, where appropriate, a shorter period. Income is recognised on an effective interest rate basis.

Financial assets at fair value through profit or loss

Financial assets classified as held for trading are included in the category "financial assets at fair value through profit or loss". These are classified as held for trading if they are acquired for the purpose of selling in the near term with the intention of making a profit. Gains or losses on financial assets held for trading are recognised in profit or loss and the related assets are classified as current assets in the balance sheet.

Held-to-maturity investments

Non-derivative financial assets with fixed or determinable payments and fixed maturity dates that the Commission has the positive intent and ability to hold to maturity are classified as held-to-maturity investments. Held-to-maturity investments are recorded at amortised cost using the effective interest method less impairment, with revenue recognised on an effective yield basis.

Loans and receivables

Trade receivables, loans and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'loans and receivables'. They are included in current assets, except for maturities greater than 12 months after the balance sheet date. These are classified as non current assets. Loans and receivables are measured at amortised cost using the effective interest method less impairment. Interest is recognised by applying the effective interest rate to the relevant balances.

Impairment of financial assets

Financial assets are assessed for impairment at each balance date.

Financial assets held at amortised cost - If there is objective evidence that an impairment loss has been incurred for loans and receivables or held to maturity investments held at amortised cost, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the asset's original effective interest rate. The carrying amount is reduced by way of an allowance account. The loss is recognised in the Income Statement.

i) Financial Liabilities

Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or 'other financial liabilities.' Financial liabilities are recognised and derecognised upon 'trade date'.

Financial liabilities at fair value through profit or loss

Financial liabilities at fair value through profit or loss are initially measured at fair value. Subsequent fair value adjustments are recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any interest paid on the financial liability.

Other financial liabilities

Other financial liabilities are initially measured at fair value, net of transaction costs.

Other financial liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.

The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments through the expected life of the financial liability, or, where appropriate, a shorter period.

Supplier and other payables

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

j) Contingent Assets and Liabilities

Contingent Assets and Contingent Liabilities are not recognised in the Balance Sheet but are reported in the relevant schedules and notes. They may arise from uncertainty as to the existence of an asset or liability or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

k) Acquisition of Assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken.

l) Property, plant and equipment

Freehold land and buildings on freehold land are measured on a fair value basis.

All other classes of property, plant and equipment are measured at cost. Cost is determined as the fair value of the asset given as consideration plus incidental costs in getting the asset ready for use.

The carrying amount of property, plant & equipment is reviewed annually to ensure it is not in excess of the recoverable amount of these assets. The recoverable amount is assessed on the basis of the expected net cash flows that will be received from the assets employment and subsequent disposal. The expected net cash flows have been discounted to their present values in determining recoverable amounts.

Property, plant and equipment purchased for less than $2,000 during the year have been expensed.

m) Depreciation and amortisation of fixed assets

Property, plant and equipment, including buildings and leasehold property but excluding freehold land, are depreciated/amortised over their expected useful economic lives using the diminishing value method and are measured at cost.

Assets are first depreciated or amortised in the year of acquisition or, in respect of internally constructed assets, from the time an asset is held ready for use. Major useful lives are:

	2009	2008
Buildings	10 years	10 years
Leasehold Improvements	3 years	3 years
Plant & Equipment	2.5-5 years	2.5-5 years

n) Employee benefits

Provision is made for the Commission's liability for employee benefits arising from services rendered by employees to balance sheet date. Employee benefits expected to be settled within one year together with entitlements arising from wages and salaries and annual leave have been measured at their nominal amounts based on remuneration rates which are expected to be paid when the liability is settled.

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expected future wage and salary levels, related on costs, experience of employee departures, and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currencies that match, as closely as possible, the estimated future cash outflows.

o) Superannuation arrangements

Contributions made by the Commission to employee superannuation funds are expensed.

Employee's Superannuation entitlements are provided through the NT Government and Public Authorities Superannuation Scheme (NTGPASS) and non-government employee nominated schemes for those employees commencing on or after 10 August 1999.

The Commission contributes 9% on behalf of the majority of employees. Any liability for superannuation is met directly by the NT Government and the entity has and will continue to have no other direct superannuation liability.

p) Income tax

The Northern Territory Legal Aid Commission is a public authority within the meaning of Section 50-25 of the Income Tax Assessment Act 1997 and its income is exempt under the provisions of that Act.

q) Liability on current grants in aid

The Commission brings to account as a current liability an estimate of the value of the work completed by private practitioners but not invoiced to the Commission as at 30 June. The amount of this liability is shown in Note 10. During the 2006/07 financial year, the Commission analysed the invoices received during that year and calculated the percentage that related to the prior years. This percentage has then been used to calculate the liability for the current year as the Commission expects a similar percentage in the current year.

r) Reserves

The Commission maintains reserves that are funded by cash and investments.

The funded reserves are:

- NT Expensive Civil Cases Reserve
- Information Technology Development and Replacement Reserve
- NT Expensive Criminal Cases Reserve
- Premises Replacement & Maintenance Reserve

The asset revaluation reserve is used to record increments and decrements in the value of non-current assets.

s) Revenue recognition

Revenue is recognised to the extent that it is probable that the economic benefits will flow to the entity and the revenue can be reliably measured. The following specific recognition criteria must also be met before revenue is recognised:

Rendering of services

Where the contract outcome can be reliably measured, control of the right to be compensated for the services and the stage of completion can be reliably measured. Stage of completion is measured by reference to labour hours incurred to date as a percentage of total estimated labour hours for each contract.

Where the contract outcome cannot be reliably measured, revenue is recognised only to the extent that costs have been incurred.

Interest

Interest revenue is recognised when control of the right to receive the interest payment passes.

t) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST except:

- Where the GST incurred on a purchase of goods and services is not recoverable from the taxation authority, in which case the GST is recognised as part of the cost of acquisition of the asset or as part of the expense item as applicable; and
- Receivables and payables are stated with the amounts of GST included.

The net amount of GST recoverable from, or payable to, the taxation authority is included as part of the receivables and payables in the Balance Sheet.

Cash flows are included on the Cash Flow Statement on a gross basis and the GST component of cash flows arising from investing and financing activities, which is recoverable from, or payable to, the taxation authority, are classified as operating cash flows.

u) Critical accounting estimates and judgements

Estimates and judgements incorporated into the financial report are based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the Commission.

v) Economic Dependence

The Commission is funded predominantly by annual appropriations from the Northern Territory Government and the Commonwealth Government to meet proposed cash expenditure on both operational and capital items in the current financial year. These financial statements have been prepared on a going concern basis in the expectation that such funding will continue.

		2009 $	2008 $
2. Revenue			
Grant revenue from	- NT	3,767,398	3,545,000
	- Commonwealth	4,530,028	4,750,229
	- Others	47,242	0
Rendering of services revenue	- Client contributions	66,406	57,488
	- Recovered costs	131,608	191,173
Other revenue	- Interest	182,725	251,454
	- Others	27,377	25,783
		8,752,784	**8,821,127**
3. Expenses			
Depreciation expense		256,109	236,344
Salaries and employee benefits expense		4,642,140	4,188,8721
Administration costs		1,289,942	1,391,861
Legal costs		1,873,261	2,219,388
Other expenses	- Minor assets	129,541	235,356
	- Operating lease expenditure	670,971	563,374
		8,861,964	**8,835,195**
4. Cash and cash equivalents			
Cash on hand		1,350	1,050
Cash at bank		1,616,036	1,842,697
Advance account		10,000	10,000
		1,627,386	**1,853,747**

5. Trade receivables

	2009 $	2008 $
Current		
Trade debtors	82,237	12,682
Less Provision for Doubtful Debts	0	0
	82,237	12,682
Recoveries Receivable	0	20,569
Less Provision for Doubtful Debts	0	(3,026)
	0	17,543
Interest Receivable	0	12,890
GST Receivable	12,775	60,242
Other Receivable	0	0
	95,012	**103,357**
The aging of the receivables are as follows:		
- up to 3 months	79,186	93,622
- 3 to 12 months	13,661	7,941
- 1 to 2 years	2,165	1,009
- 2 to 4 years	0	3,596
- more than 4 years	0	215
	95,012	**106,383**
The aging of provision for doubtful debts are as follows:		
- 2 to 4 years	0	2,9114
- more than 4 years	0	115
	0	**3,026**

6. Investments

Current		
Westpac Banking Corporation Bills – at cost	**1,438,961**	**1,408,266**

		2009 $	2008 $
7. Other receivables			
Prepayments	- Insurances	104,566	101,210
	- Rent	47,852	32,594
	- Salaries	2,601	7,297
	- Other	27,490	32,928
Accrued revenue		4,828	14,707
		187,337	**188,736**
8. Property, plant and equipment			
Freehold land at fair value		290,000	290,000
		290,000	**290,000**
Buildings – at fair value		665,185	660,094
Less: Accumulated depreciation		(187,705)	(134,511)
		477,480	**525,583**
Leasehold improvements – at cost		695,092	417,687
Less: Accumulated depreciation		(264,799)	(155,830)
		430,293	**261,857**
Plant and equipment – at cost		785,223	729,383
Less: Accumulated depreciation		(566,045)	(479,370)
		219,178	**250,013**
Total property, plant and equipment – net book value			
Cost		1,480,315	1,147,070
Fair value		955,185	950,094
		2,435,500	**2,097,164**
Less: Accumulated depreciation		(1,018,549)	(769,711)
		1,416,951	**1,327,453**

	2009 $	2008 $

8. Property, plant and equipment continued…

(a) Reconciliations

Reconciliations of the carrying amounts of each class of property, plant and equipment are set out below:

Freehold Land		
Carrying amount at beginning of year	290,000	280,000
Net amount of revaluation increments	0	10,000
Carrying amount at end of year	**290,000**	**290,000**
Buildings		
Carrying amount at beginning of year	525,583	215,871
Net amount of revaluation increments	0	(129,892)
Additions	5,091	463,649
Depreciation	(53,194)	(24,045)
Carrying amount at end of year	**477,480**	**525,583**
Leasehold Improvements		
Carrying amount at beginning of year	261,857	104,302
Additions	285,606	246,644
Disposals	(930)	0
Depreciation	(116,240)	(89,089)
Carrying amount at end of year	**430,293**	**261,857**
Plant and Equipment		
Carrying amount at beginning of year	250,013	375,150
Additions	55,840	0
Disposals	0	(1,928)
Depreciation	(86,675)	(123,209)
Carrying amount at end of year	**219,178**	**250,013**

(b) Valuations

The fair values of freehold land and buildings have been determined by reference to direct valuations, based upon independent valuations previously obtained from the Australian Valuation Office dated 29 May 2008. Such valuations are performed on an open market basis, being the amounts for which the assets could be exchanged between a knowledgeable willing buyer and a knowledgeable willing seller in an arm's length transaction at the valuation date.

9. Trade and other payables

Current		
Accounts payable and accrued expenses	216,746	358,794
TOTAL PAYABLES	**216,746**	**358,794**

10. Provisions

	2009 $	2008 $
Current		
Employee benefits		
- annual leave	321,343	289,595
- long service leave	313,503	291,363
- leave loading	57,193	42,770
- super contribution	101,793	22,361
	793,832	**646,089**
Fringe Benefits Tax	7,165	8,705
Grants in aid	29,530	76,566
	830,527	**731,360**
Non-Current		
Employee benefits		
- annual leave	142,386	53,097
- long service leave	71,533	124,673
	213,919	**177,770**

11. Superannuation commitments

Employees' superannuation entitlements are principally provided through the Northern Territory Government and Public Authorities Superannuation Scheme (NTGPASS). Benefits from these schemes are supplemented by an additional "3% productivity" benefit from the Northern Territory Supplementary Superannuation Scheme (NTSSS).

Employee contributions for NTGPASS members are based on an elected rate of 2% to 6% salary. NTSSS benefits are entirely employer funded and do not require employee contributions. As at 30 June 2009 total superannuation expended amounted to $386,868 (at 30 June 2008 - $357,294).

From 10 August 1999, new employees are unable to join the above funds and must nominate their own fund into which contributions will be paid.

12. Trust accounts

The Commission operates a solicitor's trust account and the funds are not used in the achievement of its objectives. Therefore, these monies are not brought to account in the financial reports but are disclosed by way of note. The trust account is maintained for verdict and settlement monies held on behalf of legally aided persons. The Commission may recover some costs upon finalisation of these matters. As at 30 June 2009 the trust account had a balance of $13 (2008 - $2,750).

13. Cash flow statement

	2009 $	2008 $
Reconciliation of net cash used in operating activities to operating profit/(loss)		
Operating profit/(loss)	(109,180)	(14,068)
Depreciation	256,109	236,344
Donated assets	930	0
Increase/(Decrease) in provisions	135,316	124,865
Increase/(Decrease) in creditors	(142,048)	(66,472)
Decrease/(Increase) in receivables	8,345	30,544
Decrease/(Increase) in prepayments (non-capital)	1,399	(92,138)
Net cash flows from/(used in) operating activities	**150,871**	**219,075**

14. Expenditure commitments

Building lease expenditure commitments		
Operating leases (non-cancellable)		
- not later than one year	508,367	410,900
- later than one year but not later than five years	47,327	487,2444
Grants In Aid	568,652	504,473
Aggregate lease expenditure and Grants in Aid contracted for at balance date but not provided for	**1,124,346**	**1,402,617**

15. Other non-current assets

Contingency Legal Aid Fund

Under Section 44 of the Northern Territory of Australia Legal Aid Act 1990 the Contingency Legal Aid Fund was established towards the end of the 1992/93 financial year. The fund is available to provide financial assistance to eligible persons to enable them to bring or defend civil proceedings. It was set up with a seeding grant from the Law Society Public Purpose Trust. The value of the seeding grant was $200,000. In 1997, the Commission contributed a further $200,000 to the Contingency Legal Aid fund which is due and payable on demand to the Commission.

As at the 30 June 2009 the financial position of the fund which is managed by the Commission was as follows:

	2009 $	2008 $
Opening balance	930,261	828,312
Income:		
Interest earned	44,197	55,776
Client contributions	1,100	440
Cost recovered	15,282	67,993
Contingency fees	3,131	16,952
	63,710	**141,161**
Expenditure:		
Disbursements	61,641	39,199
Bank charges	9	13
	61,650	**39,212**
Cash balance at year end	932,321	930,261
Less - Clients/grants approved but not paid at year end	(110,327)	(46,302)
Net funds available	**821,994**	**883,959**

16. Reserves

	2009 $	2008 $
NT Expensive Civil Cases Reserve	350,000	350,000
Information Technology Development and Replacement Reserve	200,616	200,616
NT Expensive Criminal Cases Reserve	1,560,448	1,560,448
Premises Replacement & Maintenance Reserve	200,000	200,000
Asset Revaluation	161,194	161,194
	2,472,258	**2,472,258**
Movements in reserves:		
(a) NT Expensive Civil Cases Reserve (funded)		
Balance at beginning of year	350,000	350,000
Redistribution to NT Expensive Criminal Cases Reserve	0	0
Redistribution from Employee Entitlements reserve	0	0
Balance at end of year	**350,000**	**350,000**
(b) Information Technology Development and Replacement Reserve (funded)		
Balance at beginning of year	200,616	256,363
Transfer from accumulated funds	0	(55,747)
Balance at end of year	**200,616**	**200,616**
(c) NT Expensive Criminal Cases Reserve (funded)		
Balance at beginning of year	1,560,448	1,652,720
Redistribution from NT Expensive Civil Cases Reserve	0	0
Redistribution from Premises Replacement and Maintenance Reserve	0	0
Transfer to accumulated funds	0	(92,272)
Balance at end of year	**1,560,448**	**1,560,448**
(d) Premises Replacement & Maintenance Reserve (funded)		
Balance at beginning of year	200,000	200,000
Redistribution to NT Expensive Criminal Cases Reserve	0	0
Transfer from accumulated funds	0	0
Balance at end of year	**200,000**	**200,000**
(e) Asset Revaluation		
Balance at beginning of year	161,194	281,086
Revaluation increments on revaluation of:		
- land	0	10,000
- buildings	0	(129,892)
Balance at end of year	**161,194**	**161,194**

	2009	2008
	$	$

17. Retained earnings

Equity at beginning of year	1,341,377	1,207,426
Net Loss	(109,180)	(14,068)
Transfer from Reserves	0	148,019
Equity at end of year	**1,232,197**	**1,341,377**

18. Financial instruments

A financial instrument is a contract that gives rise to financial asset of one entity and a financial liability or equity instrument of another entity. Financial instruments held by the Commission include cash and short-term monetary investments, receivables and payables. The Commission has limited exposure to financial risk as describe below.

Credit Risk

Credit risk represents the loss that would be recognised if counterparties failed to perform as contracted. The credit risk on financial assets of the Commission that have been recognised on the balance sheet is the carrying amount net of any provision for doubtful debts. The Commission has a minimal concentration of credit risk as it undertakes transactions with a large number of customers and counterparties. There are no major concentrations of credit risk on trade debtors due from customers within particular industries. In respect of any dealings with organisations external to Government, the Commission has adopted a policy of dealing with credit worthy organisations and obtaining sufficient collateral or other security where appropriate, as a means of mitigating the risk of financial loss from defaults.

Net Fair Value

The carrying amount of the financial assets and financial liabilities recorded in the financial statements approximates their net fair values. Where differences exist, these are not material.

18. Financial instruments continued…

The aggregate net fair values of financial assets and financial liabilities, both recognised and unrecognised, at balance date, are as follows:

	Total carrying amount as per the balance sheet		Aggregate net fair value	
	2009 $,000	2008 $,000	2009 $,000	2008 $,000
Financial assets				
Cash	1,627	1,854	1,627	1,854
Receivables - trade (net)	95	103	95	103
Westpac Banking Corporation Bills	95	1,408	1,439	1,408
Prepayments	187	189	187	189
Advance to Contingency Fund	200	200	200	200
TOTAL FINANCIAL ASSETS	**3,548**	**3,754**	**3,548**	**3,754**
Financial liabilities				
Accounts payable and accruals	3,548	359	217	359
TOTAL FINANCIAL LIABILITIES	**217**	**359**	**217**	**359**

Cash, cash equivalents and short-term investments: The carrying amount approximates fair value because of their short-term to maturity.

Trade receivables and payables: The carrying amount approximates fair value.

Liquidity Risk

Liquidity risk is the risk that the Commission will not be able to meet its financial obligations as they fall due. The Commission's approach to managing liquidity is to ensure that it will always have sufficient liquidity to meet liabilities when they fall due.

The maturity profiles of undiscounted financial liabilities are as follows:

	1 year or less $'000	> 1 year and < 5 years $'000	> 5 years $'000	No term $'000	Total $'000
30 June 2009					
Trade and other payables	217	-	-	-	217
30 June 2008					
Trade and other payables	217	-	-	-	359

Interest Rate Risk

Interest rate risk is the risk of financial loss and/or increased cost due to adverse movements in the values of financial assets and liabilities as a result of changes in interest rates. The Northern Territory's Legal Aid Commission's exposure to interest rate risks and the effective interest rates of the financial assets and financial liabilities, both recognised and unrecognised at the balance date, are as follows:

18. Financial instruments continued…

Financial Instrument	Floating Interest		Non-interest bearing		Total carrying amount as per the balance sheet		Weighted average effective interest rate	
	2009 $,000	2008 $,000	2009 $,000	2008 $,000	2009 $,000	2008 $,000	2009 %	2008 $,000
Financial assets								
Cash	1,627	1,854	-	-	1,627	1,854	4.66	7.00
Receivables - trade (net)	-	-	95	103	95	103	-	-
Westpac Banking Corporation Bills	1,439	1,408	-	-	1,439	1,408	5.61	6.73
Prepayments	-	-	187	189	187	189	-	-
Advance to Contingency Fund	-	-	200	200	200	200	-	-
TOTAL FINANCIAL ASSETS	**3,066**	**3,262**	**482**	**492**	**3,548**	**3,754**	**-**	**-**
Financial liabilities								
Accounts payable and accruals	-	-	**217**	**359**	**217**	**359**	-	-
TOTAL FINANCIAL LIABILITIES	**-**	**-**	**217**	**359**	**217**	**359**	**-**	**-**

The Commission has no fixed interest financial instruments.

Interest Rate Risk Sensitivity Analysis

The following table demonstrates the Commision's sensitivity to movement in interest rates in relation to the value of interest bearing financial assets and liabilities.

	Profit or Loss and Equity	
	100 Basis Points Decrease $'000	100 Basis Points Increase $'000
30 June 2009		
Financial Assets - Cash and cash equivalents	16	(16)
Financial Assets – Short-term investments	14	(14)
Net sensitivity	30	(32)
30 June 2008		
Financial Assets - Cash and cash equivalents	18	(18)
Financial Assets – Short-term investments	14	(14)
Net sensitivity	32	(32)

19. Segment information

The organisation operates in one industry segment and one geographic location, being the provision of legal services in the Northern Territory of Australia.

20. Contingent assets/liabilities

There were no known contingent assets or contingent liabilities of a significant nature at 30 June 2009 (2008 – NIL).

21. Additional disclosures

(i) Commissioners

The Commissioners of the Northern Territory Legal Aid Commission during the financial year were:

- S. Cox QC
- D. Farquhar
- J. Large
- E. Terrill
- E. Morris
- P. Vaughan
- H. Richardson

(ii) Transactions with Commissioners

During the year, surplus legal work has been allocated to legal firms in which some Commissioners also hold Executive positions. These transactions are considered to be on an arm's length basis under normal terms and conditions.

(iii) Credit Card

The Commission has a credit card limit of $110,000 from Westpac Banking Corporation.

22. Remuneration of Commissioners

The following sitting fees were in respect of the year ended 30 June 2009:

- D. Farquhar $170
- J. Large $240
- E. Terrill $247
- P. Vaughan $294

23. Auditor's remuneration

The auditor of the Commission is the Auditor-General for the Northern Territory.

	2009 $	2008 $
Amounts paid, or due and payable to the NT Government for services provided by the Northern Territory Auditor-General for:		
- Audit of the Commission financial statements	23,100	25,219
- Other services in relation to the Commission		
- acquittal	5,945	5,601
	29,045	**30,820**

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